

The Nation.

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The Week.

WE are sorry to have to record another appointment by the President which is not exactly in the direction of civil-service reform. We believe it is now the fashion to accuse everybody who makes a remark of this kind of being a "partisan." Well, we are partisans, but we hope partisans of good government and official honesty, and we therefore confess, without shame, that we think the appointment of a Lowell carpet-bagger named Parker, a brother-in-law of Mr. Benjamin F. Butler, who is also the uncle of George H. Butler, the well-known Consul-General in Egypt, to the surveyorship of the port of New Orleans in the place of General Longstreet, a great scandal and a sad commentary on the value of the new rules. General Longstreet, who is an honest man whom his worst enemies respect, has resigned through disgust at the performances of Casey the collector and his faction, and now the President puts in his place a low adventurer in order to oblige B. F. Butler, and he does this while retaining his own brother-in-law as collector—he who, besides many other exploits, lately employed the Federal revenue cutter for twelve days in carrying a batch of State senators up and down the river to protect them from arrest by the sergeant-at-arms. Now, why is this done? What excuse is there for it, in view of the reform in the civil-service which, we are told, is going on? Will not some champion of the Government answer these questions, avoiding all allusions to the Seneca Stone business or Horace Greeley's relations with Hank Smith?

Mr. Conkling's resolution calling for a return of the recommendations for appointments to and removals from office offered by the senators from New York, Wisconsin, Illinois, Nebraska, and Indiana, and all representations made in the premises by these persons, and also an account of the number of appointments "credited" to them respectively, has passed the Senate. This request, which, as the *Evening Post* very properly observes, is insulting to the President, and will probably receive no answer, is simply a mode of carrying on a quarrel of a purely personal character between half-a-dozen senators, and which Mr. Conkling himself began by treating the demand for the Custom-house investigation as an outrage. That such a resolution should have been gravely offered, debated, and acted on, is a curious illustration of the loss of tone the Senate has within a few years undergone.

It was asserted a few days ago that Mr. Sumner would preside at the Cincinnati Convention, but as nobody had asked him, or had any authority to ask him to do so, he has really neither consented nor refused. He is said still to be in some uncertainty as to what his course will be with regard to the Cincinnati movement, but in all contingencies will oppose the renomination and re-election of General Grant. Mr. Dawes has written a letter denying sympathy with the Cincinnati movement, but at the same time strongly condemning the course of the friends of the Administration in the Senate and elsewhere in resisting investigation. It is probable that we are on the eve of a more general expression of opinion on the part of politicians than has yet taken place or than a few weeks ago seemed probable. Mr. Sumner suggests the propriety of General Grant's withdrawal, which would really put an end to the Cincinnati movement. When one considers that it is the determination of his friends that he and nobody else shall be the next President and that his claims to renomination shall not ever be discussed, which is breaking up the party, one can hardly consider such a step as altogether impossible.

Later returns from New Hampshire than we had at our last writing make clear several points that were then doubtful. In the first place, it would seem to be certain that Judge David Davis's nomination for the Presidency may be entirely disregarded by everybody, and that Democrats, Liberal Republicans, and Administration men may each proceed to make their game as if the so-called Labor Reform party had never tried to get itself into existence. New Hampshire has workingmen if any State in the Union has, and yet out of a total vote of seventy-five thousand, more or less—one of the heaviest ever cast in the State—the Labor Reformers cast some four-or five hundred. Prohibitionists made a still smaller show. But, indeed, the people are but few just at present who give themselves sufficient concern about the Prohibition party to do so much as draw a moral from the result of its operations. It simply can do nothing when the people are really agitated by political questions. The Protectionists have made some endeavor to show that the activity of the Free-traders in New Hampshire inured to the benefit of the Republicans. The *Tribune* appeals to the returns from Nashua, Manchester, Dover, Summersworth, and Claremont in support of this position. The figures show an increase of 1,279 over the vote of last year in these five manufacturing towns, the Republican share of the increase being 1,246, and the Democratic share but 33. So far as the returns now in admit of a judgment's being formed, the increase in the aggregate vote of the State will be something more than 6,000, and a proportionate increase in the towns above-named would have been not far from 800.

The *Tribune*, we think, says more than it can at all make clear when it attributes this disproportionate increase to the exceptionally manufacturing character of the population of these towns. When there is to be an increase in the aggregate vote of a State, it is fair to look for a somewhat disproportionate rate of increase in the large towns, which are always most vigorously canvassed by speakers, brass bands, processions, and other like persuaders, and in which it is always easiest for the voter to get to the polls. The *Tribune* is plainly wrong in talking about a Democratic loss of 1,000. There was an absolute Democratic gain, though a small one, and no one can say that, of the 1,279 votes not thrown last year, 1,000 were Democratic. We take the fact to be that on account of the comparative slothfulness of the Administration wheel-horses last year, and of the general half disgust with which a certain number of people were looking at a good many of the Administration's acts of omission and commission, and on account, too, of local railroad troubles since healed, a portion of the Republican Israel betook itself to its tents, and this year came out of them. How many Republicans came out to fight for protection as against a lower tariff we suppose the *Tribune* no more knows than we. But we believe not enough to have affected the result one way or another.

Of the other results of the New Hampshire contest, there appears to be less doubt in any quarter than there was when news of it first came, and there was not much then. We judge that we speak without danger of misleading when we say that the Democratic press throughout the country has, within the week, become very much readier to go the length of admitting that the Democracy must take platform and candidate from the Cincinnati Convention, and that it will have to take them without in return taking from that body other guarantees than those furnished by the platform itself, and the high character of the candidates. The independent, or partially independent, press is very free in telling the Democrats that now they must at last see that the party wants nothing so much as an undertaker, it being full time for it to confess itself dead and consent to have its remains decently interred. The portion of the Democratic press more advanced in liberalism takes this talk in good part, so far as to indicate their

willingness to adopt the Cincinnati platform at least; and some of them, as well as some Republicans, avow the belief that if Cincinnati nominates Mr. Charles Francis Adams and Mr. Trumbull, nothing that could be done at Philadelphia would prevent their election. The Administration press, and such of the Republican press as is not so feverishly Administration in tone, is disposed to be a good deal less satisfied at the New Hampshire victory than it was at first, though it is still maintaining that the result in that State makes the renomination of the President and his re-election also a certainty. Still it is seen that Connecticut and especially that Cincinnati are yet to be heard from. We doubt, though, if there has been a worse time for prophets of a political and Administration turn since the days of Ahab and Jezebel; and even the renomination of President Grant, certain as it has been looking for some time past, may nevertheless be made merely impossible within the next forty days. Such Republicans as Mr. Dawes and Mr. Garfield give but an uncertain sound, considering how plainly they both can speak, and the House of Representatives generally is a long way from being up to the Morton-Conkling mark in point of loyalty and devotion.

The canvass in Connecticut seems likely to be made very lively by the appearance on the scene of the Woodhull wing of the Woman's Suffrage movement in the interest of the Democrats. The chiefs having definitively abandoned the Republican party, Woodhull herself and Mrs. Hooker are appearing on the stump. The *Woman's Journal* says the Republican success in New Hampshire was partly due to the Republicans having secured the services of Mrs. Livermore as an orator, and this, apparently, not so much because the cause was good, as because Mrs. Livermore is a woman. It now remains to be seen what sex can do for the other side in Connecticut. If one woman can carry New Hampshire for the Republicans, two women ought to be able to make mince-meat of them in Connecticut. We would warn Woodhull, however, against appearing too often. The community is getting a little tired of her, and, if we are not greatly mistaken, she, like several other prominent public characters, is on the eve of an "investigation" which may diminish her usefulness. We would advise the Republican managers in Connecticut, if they wish to make "politics" in that State thoroughly interesting, and reduce it to a real science for the benefit of the young, to bring on Woodhull's married sister and her aged parents, and give them a hall in which to tell the electors what they know and think about "pantarchy" and "pantarchists." We observe that a "Hartford Lady" is, as the pugilists say, "getting home on" Woodhull with some terrible blows in the *Courant*. On the whole, what do you think, brethren, of this illustration of "the feminine element" in politics? Improving spectacle, is it not?

We had no idea, when writing of "masked reformers" last week, apropos of the *Times's* attack on Miller, the Insurance Superintendent, that the appropriateness of our remarks would so soon receive a striking illustration. It now appears that the person whom the *Times* allowed to make these assaults in its editorial columns, and whom it refused to produce, was a worthy gentleman known to the *Times* as "F. W. Browning," but known to the *Spectator*—an insurance paper—as "F. W. Ballard." In the columns of the *Spectator* he upheld Miller, but in the columns of the *Times* he blackguarded him handsomely. Indeed, he was the author of nearly all the *Times's* "exposures," including the articles entitled "Miller's Progress," "Miller's Pet Lambs," "Those who did not endorse Miller," "The Insurance Investigation," "The Insurance Report," "How not to do it," and "Superintendent Miller's Extortions." This valuable "expert" has now come forward, and in evidence before the Committee of Investigation, and in letters to Mr. Miller himself and to the editor of the *Times*, confesses he is satisfied there was no truth in his charges, and that he is sorry he ever wrote the articles containing them. In short, it looks very much as if he was "an arrant humbug," had "not a particle of conscience in his composition," was

a "born destructionist," and "ought to have his leg tied to a chair" when left alone in a room with valuable property. He has shamefully abused the confidence of the *Times*, and also shamefully abused the confidence of the *Spectator*, and ought clearly not to have been trusted by either.

The moral of the affair for editors is: when anybody asks leave to call somebody a thief through your columns, do not let him do so because you think he is honest, unless he agrees to prove his charges if called upon; because, even if honest, he may be misled by ignorance or passion; and, if dishonest, he may sell you out and bring you to open shame. It is right to add that the result of the investigation thus far goes to show that Browning was nearer the truth when writing to the *Times* than Ballard was when writing in the *Spectator*, but this makes little difference after all, for when the devil gets Ballard, what will become of Browning? There is another bit of instruction which respectable newspapers may draw from the affair, and that is, not to mix themselves up lightly and hastily in insurance quarrels. There is no business in the United States more embittered by competition and more ravaged by blackmailers. Crowds of adventurers like Ballard *alias* Browning live by preying on the fears of the companies and their officers in virtue of a real or pretended connection with the press. Several weekly papers and one "quarterly review" are actually supported by this species of extortion, and no respectable editor, unless he takes extraordinary precautions, can venture into the region infested by these rogues without imminent risk of being waylaid, stripped, and robbed as the *Times* has been.

Thomas Murphy has this week been examined by the Custom-house Investigating Committee at Washington, but his evidence contained nothing of much importance or interest, except his denial of the story told by Messrs. Palmer and Townley about the President's interest in "Corrigan," and desire to have that person retained in the Custom-house. This, he says, was "made out of the whole cloth," which raises what is called "a conflict of veracity" between him and General Palmer and Mr. Townley, both of whom swear to the conversation. He also testified that the President had, in May, 1871, told him that he thought the young man Leet ought to be discharged, the newspapers were making such an uproar about him; but Murphy refused to discharge him, in the belief that the uproar was got up by the steamboat companies, from whom the general-order business had been taken away. The remonstrance against Leet, signed by one hundred of the leading commercial houses of the city, he also disregarded, thinking it mere "paper"—that is, believing it to have been signed by the merchants in order to oblige the steamboat companies.

"The young man Lect" certainly seems as lucky and as mysterious a young man as ever got into the public service. He got one of the most valuable places in the gift of the Government, though nobody wanted him to get it, and the President wanted him not to get it. With incessant change going on about him, too, he has proved immovable as a rock. Other officers come and go, but he stays where he is—the storm of public indignation beating on him in vain; and yet everybody, from the President down, denies all interest in him and all desire to keep him in office. The steamboat companies, powerful and wealthy corporations, have tried to uproot him; A. T. Stewart & Co. have tried; one hundred leading commercial houses have tried; and, last of all, a powerful section of the press, headed by the *Tribune*, which bowled over Murphy himself, has assaulted him, and yet this obscure and friendless youth defies them all. Mr. Murphy's explanation of his real-estate partnership with Hugh Smith, Sweeny, and Tweed was very interesting. He took them in, he said, to show them that his opposition to them in the State Senate had nothing personal in it.

Jay Gould has at last resigned his position as director of the Erie Railroad, so that the road is now, at last, completely in the hands of

honest men, and, owing to the repeal of the Classification Bill, it will be shortly in the hands of men elected by the *bond-fide* stockholders. The stock has been rising rapidly under the influence of the change, the orders for it from Europe being very heavy. There has been much speculation during the week as to the exact nature of the process by which the Gould dynasty was overthrown, many people being inclined to regard the *coup d'état* in the Opera House, and the subsequent racings and chasings, forcing open of doors, tying of door-handles, and entrances through windows, as simply a prearranged little comedy, intended to amuse the general public, the issue having been all along agreed on between Jay Gould and his assailants.

The truth, or as near an approach to the truth as it is permitted to outsiders to make, appears to be that the plan of operations was settled by a London firm named Bischoffsheim, acting in conjunction with Mr. McHenry of the Atlantic and Great Western road, and representing one section of the English stockholders, the others making what is called the Heath-Raphael interest, and represented by an English lawyer here, Mr. Swan. The Bischoffsheim people had the sagacity to employ General Sickles, who at once opened negotiations with members of the Erie Ring individually, whom he found demoralized by Fisk's death, by the Reform movement at Albany, and by distrust of Jay Gould. He soon made sufficient progress to make them distrustful of each other—a feeling probably aggravated by the peaching of Garvey in the Hall case—and they speedily came to terms, fearing that if they waited longer they might fare worse, and it is presumable that it was made easy for them to come down. Gould still held out, but hardly with the prospect of final success, and he stood a siege, as commanders of indefensible fortresses fire a few rounds to save their honor. The story that he finally surrendered at a three hours' private interview with Sickles, under threat of criminal proceedings, and in sight of terrible "proofs" in Sickles's hands, is certainly bosh. That interview was most probably passed in ordinary negotiations over the questions, "How much will you give?" and "What will you take?" Gould goes out, at worst, with a very considerable fortune, and will yet be heard of as an "operator" of no mean force. Field and Shearman remain for the present to wind up or dispose of the various complicated suits they are carrying on for the company.

Something ought now to be done to make the recurrence of such gigantic robberies impossible. The first thing is, of course, to keep the bench pure, but the second is to prohibit the conversion of bonds into stock. The basis of the Fisk-Gould operations was the power enjoyed by the directors of issuing bonds, the intent of the law being, of course, that this power should only be used for the purpose of effecting *boná-fide* loans of money to be used for the benefit of the road, and to make the bonds more attractive to lenders they were made convertible into stock. The Ring, however, issued bonds to themselves and their confederates, not for the purpose of raising money, but for the simple purpose of converting them into stock, and with the stock thus created, as often as suited their convenience, they overwhelmed the real stockholders.

The Utah Constitutional Convention has met and framed a Constitution which is a somewhat noticeable instrument, and perhaps some of its most remarkable features point to its probable fate, for we suspect a good number of years will pass away before our Mormon friends see it in operation, despite the Hon. Mr. Fitch and other disinterested persons. The meeting of the Convention was in obedience to a popular Mormon conviction, which a prominent Mormon recently expressed in the remark that there is "no safety for us without a State government, and no State government for us without concessions." The "concessions" are, permitting the Utah mines to be worked and giving up the practice of polygamy—a practice of which the Mormons, two years ago, publicly declared that it

was enjoined upon them by heaven under pain of eternal damnation, The State Government so much desired gives them freedom from the crusade directed against them by Judge McKean, and puts them in complete possession of Utah—in possession so complete, indeed, that the next attack upon Mormon polygamy would have to be made by means of a constitutional amendment. How likely the future State would be to revoke the action of the present Territory we have little means of knowing, but the popular disposition to trust the Mormon leaders in regard to anything is of the feeblest. We at the East really know very little about the Mormon community, which constitutes a little *imperium in imperio* that is but very slightly Americanized, and which we suppose may be described as gathered from the stupidest and most ignorant classes of half-a-dozen European nations. These people are, for the most part, geographical Americans merely, and Americans in no other sense in which it is desirable that men should be American, if they are to be made into a State of the Union.

Young, Hyde, Pratt, and the other astute heads of this collection of people, now offer in the new constitution which they have made to allow the mines to be opened and agree that the new State shall levy no tax on mining; to give the right of voting to women; to allow cumulative voting; to establish freedom of religion; and to tax equally all men, whether Gentiles or Mormons. As the Eastern Gentile world does not seem to care much about the right of women to vote—and especially of Mormon women to vote in droves with cumulative ballots; as the mines have already been opened; and as freedom of religion has been pretty well established by the Pacific Railroad, the Mormon concessions will not have great effect in placating Eastern public opinion. We have no sympathy with the performances of Judge McKean, and we are very much inclined to believe that Mormon Utah is just now undergoing a small infliction of carpet-baggism of the good old Southern Reconstruction stamp, but we do not forget either that, all things considered, there is no need of haste in loosening in any way the grasp of the United States upon the Mormons. They no doubt represent, after a fashion, the principle of freedom of opinion, but they are neither so wise, nor so good, nor so numerous, nor have they been so patriotic nor so civil to the United States Government, nor are they in any way or shape so creditable to anybody who has had anything to do with them, that we need be in great haste to take their "concessions" and give them two senators and a representative in return.

Mr. Fish's answer to Lord Granville's despatch has been received in London, and we learn that it, too, is couched in courteous and friendly terms, but does not accept the English view of the matter. A reply is to be given to Minister Schenck in the course of the present week, but it is tolerably plain, from the tone of Mr. Gladstone's remarks in announcing this to the House of Commons, that we are not to look for a mutual understanding. There is not, as far as we can see, any desire in England to escape the submission of *any and all* indirect claims. The claim for increased premium of insurance, for instance, and enhanced freight, being provable and computable, we have little doubt, would be accepted as a legitimate subject for the arbitrators to pass on, and ought, undoubtedly, to be pressed by our Government. What arrests the negotiations is the claim for the expenses of the war after Gettysburg, which is neither provable nor computable, which we have reason to fear Mr. Davis stuck in on his own responsibility, and which, we repeat, no lawyer or layman of intelligence in the United States has ever ventured to defend, and which hardly anybody ever mentions privately without a smile. The only strong objection we know of to the insurance claim is the difficulty, if not impossibility, of dealing with it under the clause which directs the assessors to apportion the loss among the different cruisers for whose operations Great Britain shall have been declared responsible. How could they decide to what extent any *one* had been instrumental in raising the premium?

THE CINCINNATI CONVENTION.

A MASS Convention is to meet at Cincinnati on the first Wednesday in May, for the purpose of considering, adopting, and, if thought advisable, of nominating candidates for the Presidency and Vice-Presidency, on the platform recently put forth by the Missouri Liberal Republicans. Whatever doubts may have been at one time entertained as to the numbers and character of the Convention may be said to be nearly set at rest. It will probably be very large, and will probably be, in the best sense of the term, very respectable. One of the curious results of the personal turn given to the pending Republican canvass has been that every Republican success swells the ranks of the bolters. In other words, the regular Republican cause having been proclaimed by the managers to be the cause of General Grant, the more triumphs it meets with, the more General Grant's enemies multiply and declare themselves. The object of the Philadelphia Convention being now all but set down in black and white as his renomination, and not deliberation on the choice of his successor, the natural consequence is that not only those who are opposed to him, but those who are opposed to the practice of adopting in convention, without debate, nominations prepared beforehand, and in fact to all forms of dictation through the use of party machinery, are going to Cincinnati, and will not go to Philadelphia. His unskillful mode of using his patronage has, of course, made him a host of enemies in the ranks of the politicians proper, who will now probably proffer their aid to those who desire his defeat on higher grounds.

Within the last few days, too, it must be admitted the secession has received a powerful stimulus from the New Hampshire election, which is proving for the Administration one of those terrible victories which are far worse than any defeat. It poured speakers into the State without stint during the canvass, but it is no exaggeration to say that they proved its worst enemies, for the more they persuaded, the more they injured it. Had the Republicans carried the State with great difficulty and by a bare majority, or had the election gone into the Legislature; or had the Democrats held their own or made appreciable gains; above all, had they achieved a triumph, they would doubtless have been sufficiently encouraged to make a separate nomination for the Presidency, and repudiate utterly the passive policy; and any such attitude on their part would have exercised a correspondingly depressing influence on the Liberal Republican movement, for a Liberal Republican candidate and a Democratic one are hardly likely to be able to keep the field together. But their defeat in New Hampshire has so instructed the Democrats that—particularly if it should be followed by a defeat in Connecticut—we shall probably now witness a general adhesion to the passive policy, or, in other words, the complete break-up of the old organization. This cannot but give to the Cincinnati Convention an importance it did not previously possess. From a convention of bolters, who, within their own party, would certainly be a minority, and perhaps a small one, it becomes a convention whose nominee will not improbably be elected without difficulty. This prospect has naturally already made a profound impression on the great host of timid and uncertain people, and people who like, in all games, to be on the winning side; and the preparations for the meeting have, within a week, exhibited an earnestness and activity which were previously wanting. Should the Administration now succeed in "redeeming" Connecticut as they have "redeemed" New Hampshire, it will be most probably at the cost of their own damnation.

There is, perhaps, nothing which now does, and will continue to do, so much for General Grant as the fear entertained, even by those who doubt his capacity and profoundly distrust the men who surround him, that a movement against him would result in a return of the Democrats to power. It may be, they say, that the Administration is surrounded by corrupt men—that the Camerons, Forneys, Mortons, Conklings, Murphys, and Leets are not exactly the kind of men whom we should wish to see acting as the President's agents or counsellors, or it may be that there is a vast

amount of robbery and corruption, even if the President be not responsible for it. But after all, nothing that he or anybody else within the ranks of the Republican party is at all likely to do, supposing him and his friends to be as bad as his worst enemies paint them, can equal what we might fairly and reasonably look for from a Democratic Administration, or from any Administration which the Democratic party helped to elect, and on which the Democratic leaders might therefore be expected to exercise more or less influence. Consider what the history of the party, within the last fifteen years, has been. Consider, above all, two points in its history—it's hostility to the negro, and its hostility to the public credit. Might we not reasonably fear that these, though for the present covered up, would, if power were placed in the hands of the party or its chiefs, break out once more with fresh vigor? Consider, too, that, even supposing the aims of the chiefs to be good, and their disposition to accept the results of the war undeniable, their constituents include all that is most ignorant, debased, and corrupt in our population, and that, whatever their own desires might be, to this ignorant and debased element they would be allowed to pander. Are you, therefore, prepared to accept their aid at this risk?

We only know of one good answer that can be made to these objections, but it is, we think, a very good one. They are based on a theory which, though it finds constant expression in the political slang of the day, has really no place among the ideas or practices of American politics—we mean the theory that the two great parties which are always contending for power are two hostile armies or camps irreconcilably divided, and that each is to the other not an opponent to be persuaded or won over, but an enemy to be remorselessly pursued and destroyed. In reality, however, this theory is French and not American, and it constitutes the curse of French political life. In our system, political opponents are fellow-citizens of a different way of thinking from our own about the best means of promoting the common weal; and the object of our writing, and speechifying, and, indeed, of the whole machinery of our agitation, is not to secure their permanent exclusion from all influence on the government, but to change their opinions and induce them to act with us instead of against us. If we succeeded in introducing into our politics the element of irreconcilable hatred, of fixed and irremovable distrust of all men who have ever been arrayed against us on any great question, which some of our Radical friends are now preaching as a duty, we should have reduced our political contests to the level of the barren and unfruitful faction fights which have plunged France into the abyss. To us, political opponents, even Democrats, are, and long may they remain so, a body of our countrymen of whom the great mass are honest and well-meaning, but mistaken. We must so regard them or else sit down in despair, for do they not constitute well-nigh one-half of the American people? And we must regard them as open to conviction—that is, as practical politicians capable of changing their minds, either under the influence of new views of principle or new views of expediency, and of adhering to these new views in their political action. We have to remember that all new parties which have yet arisen in any country have been formed out of old ones. The Whig, Federalist, Republican, Democratic, New Whig, and Anti-Slavery Republican parties were all composed of men who had previously been divided in sentiment and belonged to opposing political organizations. The party now in possession of power is composed of old Whigs and old Democrats, in almost equal proportions. It is, therefore, in this country of all countries, absurd to assert that we must never act in politics with men who have once been opposed to us and have held doctrines which we believed to be dangerous and detestable. It is by the break-up of old parties, and the construction of new ones out of the old elements, that all the forward steps in politics are made, and, we may add, all reforms effected, and the sign that a man has abandoned his old party and joined a new one is that he adheres to the platform and votes for the candidates of the new one. The enquiry into the state of "his heart," which some of the friends of the Administration would have

us institute, would be futile as well as ridiculous. If the Democrats adhere to the platform of the Cincinnati Convention, and vote for the candidates nominated on it, they will have given the only sign of conversion known in American politics, and the great object of all the Republican speeches and articles of the last twenty years will have been attained. What have we been writing and preaching for so long, if not to get a majority of the American people to agree with us about equal rights, civil-service reform, tariff reform, the public credit, and so on; and if they signify their agreement in the only possible way, what more do we want? Suppose, too, that such a man as Charles Francis Adams, or Lyman Trumbull, or Charles Sumner, or Judge Davis, or any one of half-a-dozen others of similar antecedents whom we might name, should be elected on such a platform as that of the Missouri Liberals by the votes of a combination of Republicans and Democrats, this combination would, if there were only two candidates in the field, have to contain a majority of the American people, would it not? After his election, the government of the country would be lodged where it always is, and always ought to be, would it not? The honest and patriotic men of the nation, who now save it, would still be in existence, would they not? If it be true that this result would, however, bring ruin and desolation upon us, what becomes of the theory of democratic government? Why hold conventions or organize parties at all? If the great aim of the Republican party is to keep the majority from governing, why not say so frankly?

We had intended to say something, but must defer it till next week, about the notion so much preached, and which, indeed, constitutes one of the strongest points in the position of the Administration and its friends, that needed reform must be sought in the ranks of the Republican party as now organized. We think it can be readily shown that this is a chimera; that no party ever yet carried out more than one leading idea; that, this idea embodied in legislation, you cannot take the party, like a machine, and turn it to a new job; that each new aim, even though of the same general character, requires a new combination for its attainment. There are thousands of men in the country who have been totally opposed to us on slavery and reconstruction, but who agree with us heartily on administrative reform. Reconstruction and slavery we have done with; for administrative and revenue reform we are eager; but these men will not labor with us under the lead of our Murphys, and Forneys, and Conklings, and Camerons. Shall we hug the Murphys, and Forneys, and Conklings, and Camerons to our bosom, and drive away all our old honest opponents, who ask us to let bygones be bygones, and go with them in quest of fresh woods and pastures new?

SOMETHING MORE ABOUT OUR "CASE."

WE have heretofore discussed the difficulty which has arisen between this country and Great Britain in the firm belief that the great body of the American people wish to approach the subject above all things as honest men, seeking nothing to which they do not really and sincerely believe themselves to be entitled, and withholding nothing to which their opponents are entitled. But the American public has from the outset labored under a serious disadvantage in forming a rational judgment on the matter in controversy, owing to two facts: one is, that there is no recognized means of getting at the real opinions or intentions of the Administration; and the other is, that the discussions which the subject has undergone in the Senate have been secret, so that we do not know what the leading senators have said or thought about the matter. In every other constitutional country there exists, in spite of the coyness of diplomatic processes, some mode of putting the government on the defensive, and compelling it to explain and defend, if need be, its course in the conduct of any important negotiation. Any member of the British, German, French, Italian, or Belgian parliaments can get up and compel the Foreign Minister to state then and there why he did this or left that undone in his management of foreign affairs; and this right is so assiduously used that the people of all these countries are enabled to exercise a supervision

over their foreign relations which, if faulty, is not faulty for want of information. But our President and the State Department are almost as secure from all enquiries as the Venetian Council of Ten in its palmiest days. If they explain at all, they practically explain only to the Senate; and whatever the Senate learns from them, and what it thinks of their doings, is kept carefully concealed until the knowledge of it will be of no use to anybody. Indeed, what the country hears about this most important branch of the public business while important transactions are taking place in it, is mainly composed of vague rumors picked up by newspaper correspondents. This state of things is all the more unfortunate because our foreign relations form the only department of our politics in which mistakes are practically irretrievable. When the Government makes a false step in any other field of its duties, it either finds no difficulty itself in retracing it, or public opinion has no hesitation about making it do so. But in all dealings with foreigners, every people in the world has still enough of the old feudal notion of "honor" to make the confession of an error seem disgraceful and, because disgraceful, impossible—a notion which has been at the bottom of the bloodiest wars, not only of mediæval times but of our times. This notion is gradually losing all influence on the relations of individual men; but it has little less influence than ever upon international relations. The mildest-mannered man among us, who in social intercourse would feel the frank withdrawal of an unjust claim, or the frank atonement for an injury wittingly or unwittingly done to his neighbor, one of the first of his duties, feels aggrieved if his government, in its dealings with foreign powers, does not put on the manners and morals of a swashbuckler, and offer "satisfaction" to anybody who complains of its behavior. So that, after having allowed two or three or four men at Washington to place us, without our knowledge or consent, in a position of great moral and political perplexity towards foreign powers, we are in constant danger of seeing the public encouraging them, either by silence or open approval, to persist in a policy which every individual, in his own house, disapproves and deplores.

There is one other reason, and perhaps the most powerful of all, for regretting this state of things, and that is, that in all probability the part taken hereafter by the United States in moulding the confused medley of usages and opinions known as international law into a well-defined, compact, and consistent code, will be more important than that taken by any other power. It is reasonable to believe that in the year 1900 no other government, or combination of governments, will be able to set up or impose any duty or doctrine which we have not sanctioned; and in any such work as this it is certainly to be desired that the intelligence and morality of the whole country should bear a part, and that this intelligence and morality should be enlightened by the open discussion of international affairs by our ablest men. The English know at this moment what Mr. Gladstone, Sir Roundell Palmer, Lord Cairns, Earl Granville, and half a dozen others think of the construction of the Treaty of Washington; but who among us knows anything for certain of what Mr. Fish, or Mr. Sumner, or Mr. Trumbull, or Mr. Cushing, or Mr. Dana, or Mr. Evarts, or Judge Curtis, not to speak of the Senate Committee on Foreign Affairs, thinks about it? Some private individuals may know something, but the general public nothing. In all that relates to this unfortunate business, the country is literally "going it blind." We might find ourselves in war with England to-morrow without more than a dozen men among us being able to say exactly what caused it, or whether it might not have been avoided. The press is so conscious of this, that most of the newspapers avoid all discussion of the present complication, and content themselves, as does the main body of the public, with "standing by the Government"—that is, taking up an attitude of passive and rather ignorant acquiescence upon one of the most important questions with which any civilized people has ever been called upon to deal. Indeed, the New York *World* may be said to be the only paper which has made any serious attempt to inform public opinion upon it, and if its able discussions of questions of law and hermeneutics were not marred sometimes by a blatant

"Chauvinism," at other times by ferocious party spirit, it would be entitled to the thanks of the community.

We do not profess to know how the pending negotiations are going to end; our own belief still is that the Treaty will prove a failure, because we do not see how the Administration can, on the eve of a Presidential election, admit that it has committed what, if a mistake at all, is a mistake of the first magnitude; and we do not see how England can submit, even *pro formâ*, to the decision of any six men the question whether she shall pay a penalty which, if levied, would cause national bankruptcy, and her degradation to the rank of a second or third-rate power. We confess that, owing to our sincere desire to see the principle of international arbitration established on a sure and lasting foundation, we should be sorry to see any such question submitted to the tribunal either with or without England's consent; because we know that such a precedent would break arbitration down at once. No nation will ever leave the question whether it ought to exist to the decision of any "board," and no nation ought to do so. For small nations the liability to such penalties as we claim from England would put their existence in peril every time two great powers went to war, and one of them accused a small one of violating neutral obligations. Fancy Denmark or Holland exposed to the payment of German expenses in fighting the French after the battle of Sedan, or fancy even us, with our long line of coast and our feeble navy, being called on to foot the bills of any belligerent who could show that we let out a cruiser to prey on its commerce, or filibusters to serve in the armies of its enemy. Even if the claim, which we are trying to get before the Geneva Board, and for the sake of which the Treaty will probably be upset, were not absurd on its face, and were not considered absurd and indefensible by every lawyer of standing in the United States, the argument *ab inconveniâ* would make short work of it.

Taking it for granted that our first object in the prosecution of this controversy is to be right, we shall now suggest two or three questions which, unless satisfactorily answered, might furnish the public or Congress with sufficient reasons for helping the Administration to effect a dignified and orderly retreat from a position which is clearly not tenable, whether lawfully won or not. We are told in the protocol that the American Commissioners claimed indirect damages in the negotiation, but waived them in the hope that "an amicable settlement" might be made, without prejudice to their reproduction of them, in case no such settlement should be made. Now, the preamble of the Treaty, which is not to be found in our "Case," runs as follows:

"The United States of America and her Britannic Majesty, being desirous to provide for an *amicable settlement* of all causes of difference between the two countries, have for that purpose appointed their respective plenipotentiaries. [List of the respective plenipotentiaries.] And the said plenipotentiaries, after having exchanged their full powers, which were found to be in due and proper form, have agreed to and concluded the following articles."

Now, what we would ask of the Administration, and what the public ought to know before this unfortunate negotiation goes any further, is this:

1. Wherein did the "amicable settlement" you contemplated in making the Treaty, and which you speak of *ipsissimis verbis* in the preamble, differ from the "amicable settlement" you had in your mind when you offered to waive the consequential damages? What is there in *this* "amicable settlement" to make it improper to surrender for its sake what you were perfectly ready to surrender for the sake of the other?

2. It is true that the preamble speaks of an "amicable settlement of *all* claims, and that you maintain, it is said, that this must be held to include claims for remote and indirect injuries; but, if so, why not also the claims submitted to the Commission at Washington, and the claims submitted to the Emperor of Germany, and the "belligerent-rights" claims?

3. If you really intended to claim consequential damages for the prolongation of the war and so on, how is it that in your "confidential memorandum" of instructions to our counsel you make no mention of them?

Here is the description of the claims to be urged before the Board, as given in that document:

1. "*Claims belonging to the United States.*"—The United States should be reimbursed for actual outlay expended in the pursuit and capture of the rebel cruisers.

"They may also fairly claim, as representing the community, to be reimbursed for the outlay caused by the increased premium and enhanced freights resulting from the special risk growing out of the operations of the rebel cruisers fitted out in English ports.

"2. *Claims of Individuals.*"—The following is believed to be a proximately complete statement of the amount of claims thus far presented to the Department of State for injuries committed by the rebel cruisers."

Here follows a list of the depredations by fourteen cruisers, amounting in all to over \$13,000,000.

4. If the country is to be bound even to the extent of war by the letter of the "Case," the "Case" ought to have been the work of our ablest lawyers and diplomatists—not of one lawyer or diplomatist, however able, but of as many as could put their heads together. Was it the work of any such body? Was it not, on the contrary, left entirely to Mr. Bancroft Davis, and did he not take advice or not, as he pleased, while engaged in its composition? Did he indeed submit it to any one till he had it in print, when it was practically too late for any jurist of standing to give it careful consideration; or was the attention of any jurist called to the closing part, in which remote national injuries are made distinct items on which to assess pecuniary damages, until too late for any revision?

5. If the matter was left wholly or all but wholly to Mr. Davis, we would then ask, without meaning to cast any imputation on him, whether his standing at the bar and his diplomatic experience have been such that the people of the United States would, even if consulted beforehand, have consented to back up, even at the sword's point, everything he said in a controversy with a foreign power, and to abide absolutely by any statement he pleased to make, before the most august tribunal ever set up, of the cause of the most serious difference, except that which led to the Revolutionary War, in which this country has ever been engaged?

THE FRENCH GOVERNMENT AND THE PRESS.

PARIS, March 1, 1872.

THERE is a strange sameness in the history of French politics, and liberalism seems to be under what the great naturalist Geoffroy St. Hilaire called an "arrêt de développement." It is unable to grow, to increase in size, or vary in form. Our Liberals are still the slaves of the Jacobin formulas of the French Revolution. Read Michelet's, Louis Blanc's, Thiers's, Lamartine's histories, you always find the same monotonous defence of force, the same prevailing idea that success justifies the means. Let me give you a striking example of the curious sterility of French legislation. In the month of May, 1819, a royalist chamber, under Louis XVIII., made an act against the press. "Whoever," says the first article, "by speeches, or words, pronounced in a public place, by writings, books, drawings, engravings, pictures, emblems, sold or distributed in public places, or by placards exposed before the public, shall have excited any citizens to commit any act designated by law as a crime or a misdemeanor, will be reputed an accomplice, and punished as such." Let us now jump over many years; the Bourbons are gone; Louis Philippe is gone; the Republic has been proclaimed. Here is the text of a decree of the 12th of August, 1848, made six months after the Revolution: "Any attack by one of the means enunciated in article one of the law of the 17th of May, 1819, against the rights and the authority of the National Assembly, against the power and the rights which the members of the executive have received by the decrees of the Assembly, against the republican institutions and the constitution, against the principle of the sovereignty of the people and of universal suffrage, shall be punishable by imprisonment for from three months to five years, and by a fine of from 300 francs to 6,000 francs." Here you see the Republic of 1848 choosing the same means of defence as the Bourbon monarchy of 1819, and putting its trust in gendarmes and tribunals rather than in its own principles. Can anything be more odious, and more ridiculous at the same time, than a republican power forbidding, under the heaviest penalties, not any armed attack, but any attack in words or in writing against "the principle of the sovereignty of the people," against "universal suffrage"—any drawing or engraving directed against the same principles? There is an almost childish ferocity in the construction of this republican law. The similitude between the divine right of the Republic and the divine right of the Monarchy is com-

plete: their intolerance is equal; they will not be put in question or be discussed; they cannot allow any contradiction.

After the constituent Republican Assembly of 1848 had instituted a President, there was a new law passed, in order to defend his power. In this law of the 27th of July, 1849, it is said that the articles of the decree of August, 1848, are applicable also to the rights and to the authority of the President of the Republic. It is remarkable how intricate all the acts are; each of them alludes, without citing it explicitly, to an article of some preceding act; so that, in order to understand clearly a law of 1872, you have to read successively three or four preceding ones, each one referring to its predecessor. The Empire did not take the trouble to change an iota of the three preceding laws. The man who had upset the Republic turned to his own account the protection which was afforded to the President of the Republic. The tribunals continued to defend "the rights and authority which the President derived from the constitution" after the President had thrown the constitution to the wind and assumed the Imperial title. The Emperor did not alter an article in the laws of 1819 and of 1849; he simply added to the arsenal of the Monarchy and of the Republic a new decree: he assumed the right to give "avertissemens" to the papers and to suppress them after two such warnings. The sentence of death was constantly hanging over every writer. Now we come to the third Republic. It is only justice to say that in Paris during the siege there was an absolute liberty of the press; and it may even be said that this liberty was unnecessarily allowed to run into license, as the state of siege gave to the Government extraordinary powers, which it might have used with advantage. When the Prussians were occupying all the heights around Paris, the military commander could have assumed almost dictatorial powers; he could have shut the clubs of Belleville, hindered the formation of the Central Committee of the National Guard, the rebellion of the 31st of October; arrested Flourens, Blanqui, and the Communists. But no rigor was shown as long as rigor was excusable and was even a duty; as soon as the capitulation had taken place, several newspapers were suppressed, under the rules of a state of siege which had become merely nominal.

Gambetta, to give everybody his due, had boldly suppressed newspapers and imprisoned journalists as soon as he had descended from his balloon. He is a born Jacobin, and as he felt that he was Danton, Carnot, and Napoleon in one person, he was obliged to treat the provincial press with the greatest contempt. When peace was signed, when the compact of Bordeaux was made between M. Thiers and the Chamber, the press began to discuss very freely all the questions connected with the future of the country. The race was open, as it were, for all comers; every party was called upon, was free to give a solution; the Republic of Thiers was only a temporary bridge over a stream of anarchy—such was the construction which was put on all sides on the *pacte* of Bordeaux. M. Thiers had solemnly taken an oath before the Chamber: "I swear it before God and men, I will deceive no party; I will favor none; you have given me the Republic in trust; I will give it to you as you gave it to me. You are divided. France is not yet in a position to choose between the various parties; she is still undecided; she does not know whether it is best that she should go back to the tradition of a thousand years, or whether she can confide herself to the troubled current which carries democracy to an unknown future." He was to be essentially an arbiter of parties, the keeper of the public peace, the negotiator with the Germans. But all those who knew him well anticipated that he would not long be contented with this rôle. He is President of a République *de facto*, and he intends to remain President of a République *de jure*. The two monarchical parties of the Chamber, Orleanists and Legitimists, have at times attempted to consolidate in one party, but these attempts have each time been defeated by the acts of the Count de Chambord. This prince seems to have in him the spirit of a Stuart rather than that of Henri IV. M. Thiers, taking advantage of the Antwerp manifestations, which have cast some discredit on the cause of the Legitimists, has thrown down the gauntlet to the House. To give himself an air of impartiality, he has brutally suppressed a Bonapartist paper called the *Gaulois*, which had a very wide circulation, and the day afterwards he sends to the Chamber a law on the press. The first article provides that "every attack by one of the means enunciated in article one of the law of the 17th of May, 1819, either against the rights and authority of the National Assembly, or against the government instituted by it; every publication having for its object to provoke a *renversement* [an upsetting] of this government, shall be punishable according to article one of the decree of the 12th of August, 1848." The second article says that "any paper suspended or suppressed in a district subjected to the *état de siège* shall not be printed or published in any other part of the French territory." As all the leading papers are published in Paris, and as Paris is now subjected to the *état de siège*, the Government has

practically claimed the right to dispose of the existence of every important newspaper.

But even if it had not presented this second demand, which is truly draconian, the first proposition is enough to show that M. Thiers intends to spread terror among all his opponents. His government was founded on the distinct understanding that it was *no* permanent government; and the law which he now proposes treats as criminal every attempt to change it. The press is already showing its alarms. Yesterday, three writers in the *Figaro* declared that they would lay down their pens, or, at least, that they would cease to speak on politics. Fancy the editor of the *Tribune* or of the *Herald* making such an announcement some morning! There is something comical in the solemnity with which our popular *Figaro* said yesterday, "I lay down my sword till better times come, when it will be less dangerous to use it." Several papers, more serious, have been confidentially warned that they might be suppressed if they did not moderate their opposition to the provisional Republic. One of the Government papers wrote this yesterday: "The Chamber was very much mistaken at Bordeaux when it believed that it was as easy to leave a government as it is to go from one chamber to another. It thought that the Republic was but a name: it showed a great simplicity of heart in so doing. The Republic is in possession, and it will not be dispossessed without a bloody revolution." That is clear enough: if the Chamber insists upon its constituent rights, it can only use these rights in one way; it is free to move, but it must move in a given direction. The Republican party, and Thiers at its head, distinctly warn us that the word Republic will not be wiped out except with blood. If the Chamber, alarmed at the prospect of civil war, gives in, if it now allows the Government to carry on its nefarious designs against the press, we must expect to see Thiers follow up his advantage with great energy. We shall have successive propositions for the prolongation of his Presidency, for the establishment of a Republican Vice-Presidency, for the renewal of the Chamber by thirds, for the establishment of a second Chamber, etc. I should myself be easily reconciled with all these measures if the spirit of the country was moving in a republican direction at the same time with the ambition of a certain number of politicians. But I believe that this is not the case; Bonapartism, which, only a few months ago, was almost extinct, which seemed to have given up every hope, is reviving; the nation, which wanted a monarchy, and would have preferred to have it constitutional, liberal, and parliamentary, is getting disgusted with the present Assembly and the present government, and is slowly returning to imperialism. Caesarism represents a certain combination, a chemical mixture of democracy and of authority, which suits the taste of the army, and of a people jealous not only of the old aristocracy, but of the rich middle-classes. It is not so far from the Commune to Bonapartism as it would appear to many eyes. Kindle the fire, and then extinguish it, is the method of many Bonapartists. Constitutionalism is not well understood even by the middle-classes. The workingmen of Belleville would probably be rejoiced if they saw the deputies of Versailles transported in vans to the prison of Mazas, and would not move any more than they did on the 2d of December. A revolution against parliamentarism is ripe, because parliamentarism has no more fulfilled its true function in 1871 than it did in 1851. Let us, hope, however, that it will not happen—that something or somebody will be interposed between a distracted country and a new despotism; but it is sad to think that we have to rely only on Providence. The Poles used to say, "God is too high and France is too low." We can say now, "God is too high and France is too low."

NOTES FROM ITALY—GENERAL GOVONE.

FLORENCE, Feb. 12.

ITALY has again lost one of her best men, and, though the event did not and could not take any one here by surprise, the impression caused by this death, coming as it did so rapidly after the somewhat analogous end of the deeply lamented Civinini, the learned and courageous editor of the *Nazione*, has been very deep. Although ten years older than Civinini, General Govone died while yet in the prime of life, being only forty-five. The army and the liberal party, nay, the whole country, lose in him a man whom it will be difficult to replace. His name cannot be unknown in America, as it acquired so great a distinction even abroad by his successful negotiation of the Prusso-Italian alliance in 1866, as well as by the glorious part he took as a brave young officer in the terrible day of Balaklava, when the flower of the English aristocracy was mowed down, and when the gallant Italian was seriously wounded.

Giuseppe Govone had entered military life at the early age of eleven, as a pupil of the Cadet School at Turin, an establishment which bears considerable resemblance to the military training institution at Berlin, being another

of those striking points of analogy between Piedmont and Prussia which have contributed greatly, no doubt, towards the similarity existing in the part which these two countries play in the history of our times. He had the good fortune to serve as lieutenant at the age of nineteen under General—at that time Colonel—Alfonso La Marmora, by whom the young officer's high qualifications were immediately recognized, and who well knew how to turn them to the best account. A few years later on we find young Govone employed in a mission in Turkey, shut up within the walls of Silistria, and contributing, by his excellent advice, to the long and successful resistance of that fortress. The reports which he sent from the East not only struck his own superiors, but excited the interest of foreigners also. The Emperor Napoleon himself, having perused one of them, expressed a desire that King Victor Emanuel should do him the favor to communicate the rest to him as they might arrive. Govone served under La Marmora in the Crimean War, and took part in the brilliant victory of the Tchernaya, which did such great credit to the Sardinian troops. His subsequent promotion was very rapid, more so, indeed, than would have been compatible with equalitarian or democratic states. However, favoritism may have its good as well as bad sides, just as everything else in this world. Pitt would in all probability have died as a candidate for a seat in parliament had he lived in modern France; Lord Clive would very likely not have passed his competitive examination for East Indian service successfully; and Govone would hardly have risen higher than a major-brevet by seniority had he not served old-fashioned Piedmont, and been just in time to escape the new democratic principles of military advancement in modern Italy. Successively major in the campaign of 1859, colonel and commander of Gaeta in 1860, general-in-chief of the army corps sent to suppress the then formidable *brigantaggio* near Aquila, and, finally, lieutenant-general at the age of thirty-seven, he was sent to Berlin as negotiator in 1866 by General La Marmora. It can hardly have been forgotten how ably and satisfactorily he acquitted himself of this difficult task—for Italy may in fact be said to owe Venice to the adroitness displayed by him on this memorable occasion.

At the time when the Menabrea Cabinet fell, in 1869, when press, parliament, and public opinion were vying with each other to obtain a reduction of the standing army—a most unwise demand, considering that economy had reduced it already so far as to render it literally almost unable to take the field—the general unwillingness to incur the responsibility of the portfolio was so great that General Govone alone, having recently been chosen member of parliament, could be induced to do so under conditions so unfavorable. This was, if not the sole, at any rate the chief mistake of his life, and bitterly he rueled it. Scarcely had the great Franco-German war broken out, in July, 1870, when he became at once aware of the heavy responsibility which lay upon him. A dread lest Austria should take part in the struggle, and once more cross the Italian frontier, grew in his mind till it acquired the proportion of a fixed idea; it pursued him, it haunted him to such a degree that, knowing how unfit the Italian army would be to cope with an invasion, reduced as it had been by mistaken economy, he set to work to accumulate all possible means for preventing the disaster he so much feared. Not only was regiment after regiment despatched to Venetia, but the officials under his orders soon saw that the reason of the Minister must be impaired, unable as it was to resist so terrible a shock, for his orders became confused and contradictory, the same regiment being ordered several times to the same place, etc. At one sitting of the Cabinet Council, he actually threw himself at his Majesty's feet, weeping and imploring pardon. After his resignation of office, the public was at times sadly impressed by reports which got about that he made various attempts to put an end to his existence. A few days ago, the melancholy news reached us that he was no more.

As I have recorded the demise of poor Civinini in the beginning of this letter, I may as well state that, although accused of having been bribed by enormous sums, the young "renegade" had, in fact, died as poor as Fanti, Farina, and many more illustrious Italian politicians of our time. In his case, the poverty was indeed so abject that it was found necessary to redeem the orator's silver medal as parliamentary deputy from the Mont de Piété that it might be placed in his coffin! A subscription was immediately raised in behalf of the much-abused politician's widow and son, to which the king and most of the members of the House have contributed. Some days ago, the Italian journals contained a very significant letter from Count Brassier de Saint-Simon, the envoy of the German Empire at Rome, and one which evidently has a political aim in view. Civinini had, in fact, been the only man of eminence belonging to the moderate liberals in Italy who had leaned openly towards the German side during the war. He had even written some very remarkable articles in the *Nuova Antologia*, in order to show that the principles on which the modern German Empire rests are in direct contradiction with those of the mediæval "Holy Roman Empire of the German

nation." According to American ideas, two hundred dollars as a contribution from the mighty German Chancellor will appear but a paltry contribution to the subscription of Civinini's widow and son, although higher than any other on the list; still the fact in itself is not unimportant or uninteresting. For who can the "on" be, mentioned in the Count's letter, if not Prince Bismarck himself? "In our country," it says, "we lament (*on regrette*) a departed friend who saw the advantages of a nearing (*rapprochement*) of the two nations which know too little of each other, and one who did what he could to promote it with as much zeal as intelligence. . . . I have been commissioned (*on m'a chargé*) to contribute to the subscription opened for the education of the son of the deceased, trusting that this small offering, coming from a friendly country, will not be refused by the committee."

The last number of the *Nuova Antologia* (10th February) brings a posthumous letter of poor Civinini which justifies Count Brassier's and his master's feelings towards the honest young statesman (he was only thirty-five) who has been so prematurely taken away from his country. It was written to his electors at the beginning of his long and fearful illness, and in it he begs to resign his seat and to explain his reasons for doing so. This letter—one of the noblest and most touching I ever perused—accounts for this resolution, first, by an utter weariness of politics and the desire of withdrawing from an activity he thinks vain and useless compared with intercourse with great thinkers and poets of former days; secondly, because he sees himself obliged, in order to remain true to himself, to separate entirely, for a second time, from the political party to which he belongs. This party, indeed, thought, and still thinks, it possible to bring about a reconciliation with Papacy. Civinini considered that the destruction of Papacy (spiritual as well as temporal) could alone give Italy perfect vitality. His party, the moderate one, persisted in leaning for support on France; Civinini thought that an alliance with new Germany was the true interest for the kingdom, its liberty and its progress. Time, I think, will prove that Civinini was right in both respects. Many distinguished Italians of the moderate party already begin to open their eyes in these matters, and the force of circumstances and interests, stronger even than passion and sympathy, daily widens the gulf between the liberators and the liberated of 1859.

Whilst I am writing these lines, new tidings reach me of a most melancholy character. General Cugia, one of the best officers of the Italian army, one of the conquerors of San Martino, twice minister of war, succumbed yesterday, at the age of fifty-three, to an attack of apoplexy, in the king's own room in the Quirinal, where his duty as an *aide-de-camp* to the Crown Prince had called him.

Correspondence.

A PREPOSTEROUS DEFINITION.

TO THE EDITOR OF THE NATION:

SIR: I am an "advocate of woman's rights," and also one of "the curious," and I should be pleased to know why in the last number of the *Nation* you refer me, and people like me, to Webster's definition of the word "preposterous." In my copy of his dictionary, "preposterous" is defined to mean, "Having that first which ought to be last; inverted in order; contrary to nature or reason; not adapted to the end; utterly and glaringly foolish; unreasonably absurd; perverted; wrong." How, may I ask, does this concern me? Is it as an advocate of woman's rights that it applies? I know the usual fate of people who venture to ask of the *Nation*, Why do you so? but, as I have confessed, I am one of "the curious," and to gratify my curiosity will run the risk of a tap from the steam-hammer with which you welcome "enquiring minds" into your office.

C. B.

BROOKLYN, March 15, 1872.

Our correspondent must look in some earlier edition of "Webster" for the definition which we conjectured might have interest for the advocates of Woman's Rights. Apparently, with the determination that neither shall be behind the other in propitiating the Jew, the Greek, the Woman, or anybody else, the proprietors of our two great dictionaries have, from time to time, made various alterations in those works. We noticed the case of the Jews last week. Ten years ago we read in our "Webster" the following definition of "preposterous," which calls for at least one editorial article in the next *Woman's Journal*, and a resolution all to itself at the next convention (Had the lexicographer a mother or a sister?):

"Perverted; wrong; absurd; contrary to nature; not adapted to the end; as, a republican government in the hands of females is *preposterous*."—ED. NATION.]

TARIFF LEGISLATION.

TO THE EDITOR OF THE NATION:

SIR: In the last number of the *Nation* brief reference was made to the fact that the protracted debate of the Senate on the arms investigation has delayed action on the House Bill in relation to the tariff on teas and coffees, and that, as a result, the trade in these two important items of commerce is paralyzed.

While we have a tariff on imports, whether for protection (so called) or for revenue, changes more or less injurious to certain interests are to be looked for. These changes are, moreover, rendered additionally damaging by their suddenness and an utter absence of consistency in legislation on this subject. The merchant whose transactions may require months for their development is, at the outset, met by the fact that his best-laid plans may end unprofitably, through no fault of judgment on his part, but simply because a special interest has found itself powerful enough to induce Congressional interference with existing relations between buyer and seller.

Would it not, in view of this element of instability, which is, after all, the chief fault of our tariff system, be well to determine that, when changes are introduced, the new rate is to be maintained for a definite period? Although Congress could, at any time, unmake its own laws, there might, it seems, be a restraining influence in such action. To make such a restriction binding, it would, of course, be necessary to incorporate it with the organic law of the land; and to this it would be objected that there should be no obstacle to the immediate repeal of any law which has been found oppressive. It may, on the other hand, however, be doubted whether the present sense of insecurity be not a greater grievance.

N. N.

Notes.

MESSRS. G. P. PUTNAM & SONS announce the manual of "Pottery and Porcelain," by John H. Treadwell, to which we lately called attention. Also, to appear this month: "Five Hundred Majority," a political romance by a new writer; "Lectures on Instinct," by Dr. P. A. Chadbourne; and "The Baudit," a novel from the Swedish.—The first volume of Rev. Justus Doolittle's "Vocabulary and Hand-book of the Chinese Language" is announced by Messrs. A. D. F. Randolph & Co.—Messrs. Hurd & Houghton will publish a "Handbook of Painters, Sculptors, Engravers, and their Works," by Mrs. C. E. Clement, author of the "Handbook of Legendary and Mythological Art," with illustrations.—Messrs. Lee & Shepard have undertaken "Half-Hour Recreations in Popular Science," a monthly series of selections from the writings of the best modern scientists. No. 1 is "Strange Discoveries respecting the Aurora," by Richard A. Proctor; No. 2, Virchow's "Cranial Affinities of Man and the Ape." Each part is sold for 25 cents, and the series for \$2.50 per annum.

—Dr. Lieber, writing to the Census Bureau, says some things worth remembering about a very common error:

"Let me hope that this barbarism will not pass over into the census. One of my earliest and best-remembered teachers used to call the tautologies into which we boys occasionally stumbled *bacon fried in lard*; but, frankly, I remember none so repulsive as the *native-born citizen*. It is now, I am sorry to say, universally used by the law, or rather by the lawyers; but the expression is new and must be eradicated. Native citizen or population is all that need be said. Voluminous, heavy language, obscuring by its own verbosity, is anything but a sign of culture, and ought to be eschewed in law even more than in any other branch. *Fracture-broken legs, or tribulation-grieved souls* is every bit as elegant as *native-born citizens*. Simplicity is clearness and a sign of culture, and in a language in which so many parallel words exist derived from Latin and Saxon as in English, such graceless reduplications might be extended without end. Savigny has somewhere a very impressive passage on the beautiful, because terse and clear, Latin of the foremost jurists of the civil law. Let us strive to imitate them, and discard the idea that repetition of this sort lends emphasis, as those must have thought who called George I. in the proclamation of 1714, sent abroad by Bolingbroke, 'The royal King George.' We find in the Roman jurists no accumulation of words, like st fling pillows, once so common in the English law, and far too frequent yet."

"The Constitution has the term natural-born citizens, not much better than *native-born*, if it be better at all. For, what is natural-born? We think instantly of natural, unimpeded parturition, or of the fact that in many languages illegitimate children are called natural children, in which case *nature* and *natural* are contradistinguished to *law* and *lawful*; or we think involuntarily of the transposition, a *born natural*. 'Natural-born,' meaning what the Germans call *Eingebohrn* (in-born, indigenous), is an old English law expression, but uncouth enough for all that. The famous Act,

13 George II., c. vii., cited as an important authority in the report of the Committee on the subject of Colonial Rights in the Congress held at New York in October, 1765, makes use of the expression natural-born, and the report itself uses the simple word *natives*. I know that some persons will object that *native* would remind us of Indians; but this is not valid. Why does it not do so in French or Spanish? If it did not remind our forefathers of the Indians in the early year 1765, why should it suggest the fading race to us in 1872?

"The Act of 1740, just mentioned, invites foreigners to settle in the king's American Colonies, by declaring, after a most anti-Know-Nothing preamble, in sufficiently odd language, that foreigners, having resided seven years in the Colonies, on taking the oaths of allegiance, etc., etc., are to be his majesty's natural-born subjects of the kingdom of Great Britain, etc., etc. The preamble pronounces immigration a most desirable thing, and the report of 1765, of which I speak, contains this sentence: 'The colonists are by this act considered as natural-born subjects, and entitled to all the essential rights of such, unless it could be supposed that foreigners, naturalized by this act, are entitled to more than the natives.' Let us retain the last word and be done with the subject. In no other language than I know of, ancient or modern, has such a term as native-born or natural-born crept in.

"The words just quoted in the great immigration act, that certain foreigners are 'to be his majesty's natural-born subjects of the kingdom of Great Britain, to all intent, construction, and purpose,' are allowed to be grotesque, and yet the word naturalization expresses the same, but does it less glaringly. Naturalizing means imparting the *nature, natura, character by birth*, to a man. I do not know when the word naturalization first came into use in law, but who will forget Bacon's early words: '*All states that are liberal of naturalization toward foreigners are fit for empire*' (Bacon's 'Essays.' Essay 29: On the Greatness of Kingdoms and of Estates)† Certainly no one who calls himself *civis Americanus*, as Paul collectedly said, *Civis Romanus sum.*'"

—Sir Thomas Phillips, Bart., of Middle Hill, Co. Worcester, and Thirlestane House, Cheltenham, who died on February 6, says the *Athenaeum*, was one of the most learned men of the age, and as a collector of manuscripts he was without a rival, even in that land of bibliomania, England. He bought library after library, collection after collection. When Thorpe issued a catalogue of 1,400 manuscripts, Sir Thomas ordered the whole. He bought the Meerman library of Greek manuscripts, and accumulated the best private collection of monastic chartularies. He had especially a great number of manuscripts relating to genealogy, and printed several Herald's Visitations at his private press. He left only daughters to succeed him. His oldest daughter, who inherits the estates, married J. O. Halliwell, the Shakesperian annotator. This marriage was so distasteful to her father that by his will he left his library to his youngest child, Mrs. Fenwick, with restrictions to further mark his displeasure. Rumor, indeed, at one time hinted that a desire to prevent accumulations of property beyond his control was one cause for Sir Thomas's incessant and costly purchases.

—A notable enterprise for the communication of German learning to French and English readers is the *Quarterly German Magazine*—a series of popular essays in science, history, and art, mainly selected from the "Sammung gemeinverständlicher wissenschaftlicher Vorträge," edited by Prof. Dr. R. Virchow and Prof. Dr. Franz von Holtzendorff (New York: E. Steiger). The "Sammung" begins this year its seventh series of cheap fortnightly issues (24 parts), from which only purely religious or purely political topics are excluded. It will include biographical essays on Schopenhauer, Kepler, the painter Wiertz (by Hermann Grimm), and papers on the circulation of the blood, the social question, petroleum, the coinage question (by L. Bamberger), graphite and its most important applications, the battle of Sedan, coral insects and their part in the economy of nature, the idea of love in ancient and modern languages (by Dr. Abel), the realm of Tantalus and Cresus (a narrative of travel), the theory of superstition, etc., etc. Dr. von Holtzendorff closed the sixth series with a paper (No. 144) on "Conquests and the Right of Conquest," with special reference to the annexation of Alsace and Lorraine, of which he says: "Modern history tells of no conquest that appears so just in its origin, so promising in its completion, so moderate in its limitations, as that lately achieved by the German Empire." The first number of the *Quarterly German Magazine*, and the only one that we have seen, was published in November, and contains: "The Cranial Affinities of Man and the Ape," by R. Virchow; "Sight and the Visual Organ," by A. von Graefe; "The Circulation of the Waters on the Surface of the Earth," by H. W. Dove. The last of these will be thought the most popular reading, but the first merits especial attention as an unbiased contribution to the Darwinian controversy, and will comfort those who object to including the ape in the human pedigree, seeing that comparative anatomy of the skull seems to justify the deduction that "by progressive development an ape can never become a man," whether or not "research may ever succeed in fitting into each other, through actual demonstration, all the intervening links." The English of these translations betrays a foreign hand, and is sometimes so obscure as to destroy the point of a remark or an argument; but generally it is clear enough. Parallel with the "Sammung," a new series has been begun, which deals expressly with the topics excluded

from the former. It is called *Deutsche Zeit- und Streit-Fragen*, and purposes discussing the questions of the day about church, school, labor, and the domestic and foreign politics of the new empire. A principal feature will be the reproduction, in permanent form, of the current articles in newspapers and other party organs which are worth rescuing; but we judge that there will also be special contributions from a large number of learned professors, who have promised the series their support. There will be sixteen issues yearly, in the duodecimo shape of the "Sammlung." The initial number contains a paper by Heinrich Lang, a Zürich pastor, on "The Life of Jesus and the Church of the Future." The editors of *Zeit- und Streit-Fragen* are Drs. von Holtzendorff and W. Oncken.

—We find in a recent number of *La Chronique des Arts*—a weekly flyer to the *Gazette des Beaux Arts*—the following summary of the Eighteenth Report of the English Government Department of Sciences and Fine Arts. The National Normal School of Design at South Kensington was attended in 1870 by 934 pupils—99 more than in the previous year. New Schools of Design have been established at Belfast, Derby, Dover, Keighley, Kendal, Leamington, and other places, so that the present number of such schools is 117, and the whole number of scholars is 20,290. In 1869, there were 107 schools, and 19,364 scholars. The night-schools show a still more satisfactory increase. At the close of the year 1869, there were 249 of these schools, with 9,322 scholars; in 1870, there were 352 schools, with 12,119 scholars. Finally, the Schools of Design for the Poor have reached the surprising number of 1,359, with 147,243 scholars (23,315 more than in 1869). The increase of scholars in all the schools has been 19.5 per cent., and 187,916 persons of both sexes have been employed in these schools as teachers during the single year 1870. The receipts from the fees paid by the scholars in these various Schools of Design amounted (during the last year, we presume) to £21,482. The greater number of the Schools of Design are self-supporting, but, in proportion to the progress of the pupils in any one school, or to the increase in the number of its pupils, the Government comes forward with help to enable it to get more or better models, and to engage additional teachers. The receipts of four schools, and the amount of help given by the Government to each, are quoted by the *Chronique*:

	Fee and other Receipts.	Government Aid.
Taunton	£268	£48
Worcester	299	70
Sheffield	932	250
Liverpool	486	73

—Nor has the Kensington Museum reason to complain of the year 1870. Its galleries have been enriched with several important collections. Among these we find a series of twenty pieces of goldsmith's work and jewellery of the period from the sixteenth to the eighteenth century, purchased from the Treasury of La Virgen del Pilar of Saragossa for the sum of 20,000 fr. = £300; fifty-one pieces of terra-cotta, vases, and statuettes from Canosa; one hundred and twenty-three superb specimens of the old pottery of Rouen and Nevers, part of which were exhibited at the Union Centrale in 1865, and which were purchased for the Kensington Museum by M. Aigoin for the sum of 50,000 fr. The library also has steadily increased. It contains now 33,000 books and pamphlets, and it will be to its eternal honor that it has rendered possible the compilation of the "Universal Catalogue of Books on the Fine Arts," one of the greatest works in the field of bibliography that has up to this time been undertaken. Two thousand new photographs have been added to the portfolios. Finally, the number of visitors during the past year has been 1,014,349.

—A special class of students will derive valuable aid from Abel Hovacque's "Instructions pour l'Etude Élémentaire de la Grammaire comparée de la Linguistique indo-européenne." It is something more than a mere list of works useful to consult, such as M. Bréal gave in the first volume of his translation of Max Müller's "Science of Language," inasmuch as every title is accompanied by a critical appreciation: in other words, it is a *catalogue raisonné*. In an introduction, the author gives his view of the origin of language, as well as of the origin of man, from the Darwinian standpoint. M. Henri de l'Epinois, in his "Critiques et Réfutations," overhauls M. Henri Martin and his "History of France," and has good material for criticism in that much overrated work. His exposures are more immediately designed as an antidote to M. Martin's pronounced anti-catholicism. Two volumes, forming the first part of a "History of the Reign of Louis XIV.," have been issued by C. Gaillardin, author also of a "History of the Middle Ages" and of a "History of La Trappe." They present the political, religious, and literary aspects of France under Mazarin, with whose death they close, and also, more summarily, during the preceding reign. A grave defect in French usage is probed in "Les Résultats du Partage forcé des Successions en Provence," by Claudio Jannet, a lawyer of Aix. His investigations were under-

taken at the request of the Society of Social Economy, with regard to the agricultural organization and moral and economic condition of rural families in Provence, as specially affected by the law of inheritance. M. Jannet's conclusions that small farming is disorganized and the family spirit deeply and injuriously affected, is doubtless applicable to the country at large, whose stationary population is even more to be attributed to this statute of Napoleon's than to the loss of able-bodied men from the wars to which he committed his country down to this day. M. Jannet proposes that division of property in kind shall not be obligatory, and that the disposable portion be raised to one-half. "Examen de Conscience des Femmes honnêtes de France," by a woman, charges upon her sex some part of their country's disaster and degeneracy. "Les Crimes de l'Education française," a plea for the abolition of the state's monopoly of instruction, by M. Laurentie; and "Quelques Notes sur l'Instruction primaire en Prusse," by Archbishop Dupanloup, which finds most praiseworthy the prominence given (under Von Mühlner) to religious instruction, and condemns non-confessional instruction (*l'instruction laïque*), are contributions to the most important discussion now going on in France. M. Viollet-le-Duc's "Mémoire sur la Défense de Paris," which is accompanied by an atlas of twelve maps, has an interest apart from the purely professional account of the works offensive and defensive involved in the siege of Paris. A long introduction consists of a dialogue on the causes of the French reverses, in which the author's countrymen, the Empire, and the Government of September are passed in review, and all condemned in a patriotic and intelligent spirit.

—According to a recent article in the *Militärische Blätter*, the Germans took no steps to employ the balloon in their operations against the French till the end of August, 1870, when the war was already so far advanced that the ultimate issue of it was not doubtful. Two corps of balloonists, numbering twenty men each, were then formed at Cologne, and provided with all the apparatus and transportation deemed necessary, and from August 31 to September 5 were practised in the neighborhood of that city, acquiring considerable proficiency in mere manipulation. They made no ascensions, however, higher than four hundred feet, and were wholly unskilled in observations, when, on September 8, one detachment, under an English aeronaut, Coxwell, who had acted as instructor of the corps, was despatched to Strassburg with a couple of balloons. The next day, at Bischweiler, three and a half miles from the beleaguered city, headquarters were established, and subsequently reinforced by the second detachment. Here more time was given for practising, in favorable weather, and ascents of nearly twelve hundred feet were made, with good prospects of future usefulness. On removing, however, to a nearer suburb, where no illuminating gas was procurable, resort was had to hydrogen, obtained from the decomposition of water. The single balloon which had been transported could not be filled by this means till September 24, and even then very imperfectly, owing to the tubing having been, in a fit of economy, made out of old balloon material instead of rubber, so that most of the gas escaped on the way. Barely one man could be raised by it less than four hundred feet, and, after one trial, it speedily collapsed. The capitulation of Strassburg followed shortly, and the mortified balloonists repaired to the army about Paris, where they accomplished nothing, and fell into utter neglect. Meantime, inside the city, with such materials as he could procure, the famous engineer, M. Dupuy de Lôme, was constructing, with Government assistance, an immense balloon on a new principle, which only last month was completed and satisfactorily tested. It has an egg-shaped body, and is built with a decided axis, designed to be kept parallel with the line of progression. The wheel which turns the driving screw is also parallel with this axis, and is worked by four or eight men, as may be convenient—the basket holding fourteen. A rudder is attached to the balloon proper, capable of altering its course eleven degrees either way from the set of wind. In his ascent of February 2, the inventor landed near Noyon, seventy miles northeast of Paris, travelling, with the aid of the screw, some five miles faster than the wind. The gas used was hydrogen.

—The material progress of Italy is working such rapid transformations in the face of the peninsula, and in the moral and political condition of the people, that it is well to take account of it whenever we may. The recent reports of the Ministers of Finance and Public Works furnish such an opportunity. First, regarding the postal service, it appears that while, in 1861, there were provinces in Central and Southern Italy containing but one post-office to every 29,299 inhabitants, in 1870 this proportion nowhere fell below one to every 11,507. The postal routes, meantime, had increased from 16,192,291 kilometres to 27,318,152—the railroad lines alone from 3,946,024 kilometres to 6,751,347. In 1862, the postal deficit amounted to about \$2,000,000, but since 1869, in spite of the increase in the number of post-offices, there has been a slight revenue from this branch of the service. This is partly due to

the raising of the rates of postage, which are exceptionally high in Italy, and the effect of which is seen in the comparatively slight augmentation of the number of letters transmitted during the past decade—67 millions in 1861 against 87 millions in 1870. The money-order system—telegraphic, international, and consular—has been eminently successful. The telegraph lines now extend over 15,900 kilometres, instead of 9,600 as in 1861, and the number of wires has nearly trebled. A deficit of \$400,000 in 1861 was changed in 1870 into a net gain of about \$200,000, the expenses remaining nearly the same, though the stations have been quadrupled. Reduced tariffs are credited with this improvement.

LEGENDS OF BIBLICAL PERSONAGES.*

MR. BARING-GOULD has been a voluminous writer, and has had very good success in making books of entertaining reading, but we believe he has never succeeded better than in these "Legends of Old Testament Characters." As is usual with our author's books, this one is on a subject that seems to threaten an effort of mere book-making; but as also is usual with him, it pretty successfully evades this charge, and while it is not a work of the profoundest sort, nor thoroughly exhaustive, it collects and agreeably conveys a great deal of rare information, and with it gives us some work of Mr. Baring-Gould's own. Of this latter there is not very much, nor can we deny that we could readily be brought to dispense with what there is, none of it striking us as valuable. For example, in giving the rabbinical account of the offering of Isaac by his father, Mr. Gould makes a contribution to the science, or art, of mystically interpreting Scripture, and in so doing seems to us to lay nobody under any great obligations to him. The legend represents Abraham as saying to Isaac, "My son, is there any blemish in thee within? For the offering must be without blemish of any sort." Isaac replies that there is not any blemish; that in his heart there is not the least resistance to the Divine will; and that he can say with gladness, "The Lord be praised who has chosen me for a whole sacrifice." Abraham answers in these words, not the least affecting of the affecting narrative into which the rabbins have expanded the Scriptural story: "O my son, with many a wish wast thou brought into this world. Since thou hast been in it, every care has been lavished upon thee. I hoped to have had thee to follow me and to make a great nation. But now I must myself offer thee. Wondrous was thy coming into this world, and wondrous will be thy going out of it. Not by sickness, not by war, but as a sacrifice. I had designed thee to be my comfort and my stay in old age; now God himself must take thy place."

It will not occur to readers who have been little accustomed to mystical interpretations and to the rather astonishing light which they frequently throw upon the literal meaning of the Scriptures that in these passages Mr. Baring-Gould finds proof of the genuine character of this version of the story. They must, he is inclined to think, have been handed down by direct tradition from Abrahamic times, because the offering of Isaac on the mountain by his father was typical of the offering of Jesus upon Calvary by his Father, and these rabbinical passages bring out the typical character of Abraham's offering so much more clearly than even the Biblical narrative itself, that the argument in favor of their being genuine Abrahamic traditions and not inventions of a later day may be said to be manifest and strong. It is all the stronger, too, says our author, because Jewish inventors, knowing as they did that Christians always "pointed triumphantly to this type," would have been very unlikely persons to invent passages bringing the typical character of the offering into still greater distinctness. They would not, for instance, have put into Abraham's mouth the words above quoted, "Wondrous wast thou coming into the world, and wondrous will be thy going out of it"; nor these other words, "I had designed thee to be my comfort and stay in old age; now God himself must take thy place," for of these utterances, the latter, mystically taken, is a prophecy that God was one day to be made a sacrifice in Isaac's place, while the former is "spoken mystically of Christ." No more would Jewish interpolators have represented Isaac as saying, "The Lord be praised who has chosen me for a whole sacrifice," because in these words "the type of Christ comes out more distinctly than in Genesis, for here we see Isaac not merely offered by his father, but also giving himself as a free-will offering." Mystical interpretation is responsible for a good many odd things, as, of course, any method of interpretation must be which, so far as uninspired persons are concerned, is based upon the metaphor-making, simile-hunting capacity of the human mind, and allows that capacity free range. Anything and everything can be made to symbolize and typify anything and everything else, from the kingdom of heaven down to a grain of mustard-seed; and, of course, the exercise of the symbolizing faculty gives

legitimate pleasure, and often works beautiful results. But we should think that those fondest of the mystical method might hesitate at such applications of it as confer upon an unscriptural legend a dignity and significance not possessed by the canonical narrative itself; and those who object to more of mystical interpretation than has been forced upon the reader by the Scriptural authors themselves, will, of course, think as we do, that Mr. Baring-Gould would have been more satisfactory if at this point he had held his hand, and kept himself to his unaltered fables. As we have said, however, there is not much of our author's original work, and his book is to all intents and purposes a handy volume, full of tales of wonder, some terrible, some grotesque, nearly all in one way or another interesting, collected by Mr. Baring-Gould from various sources, and tolerably well representing the curious storehouse of rabbinical and Mohammedan legendary lore from which they are drawn, and of which the ordinary reader had no other means of knowledge than that afforded by the notes in the Koran, for instance, or by an occasional poet. A bookful of wilder wonders it would be easy for any compiler to put together, and to the size of the bookful there need hardly be a limit, but we do not know that such a compilation would answer any useful purpose better than this one. The curious investigator of rabbinical inventions, absurdities, *grossièretés*, and all, may well enough be referred to the original sources, while the general reader, who is the person whom our author has in view, will find what for him will be a sufficient sample of the work that has been done in this particular field of human activity.

We may best give an idea of the character of the "Legends" by giving the substance of a few of them, and for this purpose perhaps as interesting as any are those relating to Azrael, the Angel of Death. He first appears in this volume at the time when God is about to create man. The Creator having determined on making Adam out of earth, first sends Gabriel to procure the necessary clay, but the earth addresses the archangel in remonstrance, and makes oath in the name of God that he shall take of her neither clay nor dust nor stone, lest the creature made therefrom should do evil on the earth and shed innocent blood. Gabriel withdraws, having respect for the oath, and says to God, "Thou knowest what the earth said to me." The archangel Michael is next sent, but to him also the earth swears the same oath, and he also withdraws. Then Azrael is directed to secure from the earth clay of every sort; and when the earth swears to him as to the archangels, he answers, "I must obey the command of God," and from the ground, forty ells below the surface, he takes clay as commanded. So it was the Angel of Death from whose hands God received the material of which should be formed the first of all living. Of Adam and Azrael it is related that when Adam had attained his nine hundred and thirtieth year Azrael appeared to him in the form of a goat. Adam recoiled with horror, knowing Azrael through his disguise, and said to him, "God has given me a thousand years. Wherefore comest thou now?" "What?" said the angel, "hast thou not given seventy years of thy life to the Prophet David?" This question referred to a covenant into which Adam had long previously entered. It had happened when the Lord was showing Adam his descendants, and revealing to him the span of life allotted to each, that David had appeared as appointed to die while still an infant; whereupon Adam had begged that seventy of his own years might be allotted to the prophet. To this God agreed, but, distrusting Adam's firmness or good faith, he had caused to be made a written agreement and the patriarch's signature to be appended to it. Azrael, therefore, after his question above quoted, and after Adam had stoutly denied that he ever entered into such contract, drew the document from out his beard, and Adam could no longer refuse to go. Of our first mother, also, *apropos* of her first sight of Azrael, there is a story told which reflects but little credit on her or any of the rest of us: After Sammael, the Evil One, in the form of the serpent, had persuaded her to eat of the fruit of the forbidden tree, he went towards it, and, touching it, cried out to Eve, "See, I have touched the tree and am not dead." Upon this Eve went towards the tree, but as she approached she saw standing beneath its branches the Angel of Death waiting, with his sword in his hand, and she said in her heart, "It may be that I am indeed to die, and that then God will create for Adam another wife; he must die, too"; she therefore took of the fruit and gave it to her husband, who ate it. The great evil which our common mother thus accomplished was accompanied by a small one, for the apple blunted those of Adam's teeth with which he chewed it, whence it comes that men's back teeth are no longer sharp. Mr. Baring-Gould gives no explanation of the fact that the portion of forbidden fruit which Adam ate stuck in his throat and is visible to this day in the throats of his male descendants, while the portion eaten by the woman was swallowed with ease. Of Enoch and Azrael it is told that there was between them a great friendship, which began at the angel's request, for he admired Enoch's piety. When first Azrael came before Enoch, he said, "Thou mayest make me a request which I shall grant.

* "Legends of Old Testament Characters, from the Talmud and Other Sources. By Rev. S. Baring-Gould, M.A." New York: Macmillan & Co., and Holt & Williams. 1872.

The patriarch said, "Thou mayest take my soul"; but this Azrael could not do, the appointed time not having yet come. He, however, begged the consent of God to the modified request that Enoch's soul should be, for a little space, removed from his body, and God hearing, yielded, so the angel removed from him his soul, which, at the same moment of time, the Eternal One restored to him. Years past, and Azrael and his friend lived together in amity and intimacy, and then the angel procured from God that Enoch, who had tasted death, should now be suffered to experience for a little time the torments of the damned. After still other years, Enoch made another request, which was that, having tasted death, and having known hell, he might now see paradise. This also was granted, God knowing the prophet's heart, but not till after a long dispute with Ridhwan, keeper of the gate. The prophet proves to Ridhwan, or rather tries to prove to him, when the keeper declares him a man, that though this be granted it is nevertheless no valid objection to his entering, inasmuch as he has experienced death and suffered in hell. Ridhwan refuses to be moved, but God interferes, and Enoch, still a living man, dwells with God and the departed in Paradise.

The story of Abraham and the Angel of Death, as it is told by the Musulmans, is as follows :

"The Angel of Death, when bidden to take the soul of the prophet, hesitated about doing so without his consent. So he took upon him the form of a very old man, and came to Abraham's door. The patriarch invited him in and gave him to eat, but he noted with surprise the great infirmity of the old man, how his limbs tottered, how dull was his sight, and how incapable he was of feeding himself, for his hands shook, and how little he could eat, for his teeth were gone. And he asked him how old he was. Then the angel answered, 'I am aged 202.' Now Abraham was then 200 years old. So he said, 'What! in two years shall I be as feeble and helpless as this? O Lord, suffer me to depart; now send the Angel of Death to me, to remove my soul.' Then the angel took him, having first watched till he was on his knees in prayer."

A rabbinical account of the death of Moses is very striking, but too long for us to quote as it stands. The closing passage of it is as follows. We must premise that the prophet had been extremely reluctant to die, but that God had shown him that in death, as in life, he might confidently commit himself to the care of his Maker. The story thus proceeds :

"Moses returned with shame to his home, comforted his wife and children, and went alone to the mountain where he was to die. And when he had gone up the mountain, he met three men who were digging a grave; and he asked them, 'For whom do you dig this grave?' They answered, 'For a man whom God will call to be with him in Paradise.' Moses asked permission to lend a hand to dig the grave of such a holy man. When it was completed, Moses asked, 'Have you taken the measure of the deceased?' 'No; we have quite forgotten to do so. But he was of thy size; lie down in it, and God will reward thee, when we see if it be likely to suit.' Moses did so. The three men were the three angels Michael, Gabriel, and Sagsagel. The angel Michael had begun the grave, the angel Gabriel had spread the white napkin for the head, the angel Sagsagel that for the feet. Then the angel Michael stood on one side of Moses, the angel Gabriel on the other side, the angel Sagsagel at the feet, and the Majesty of God appeared above his head. And the Lord said to Moses, 'Close thine eyelids.' He obeyed. Then the Lord said, 'Press thy hand upon thy heart.' And he did so. Then God said, 'Place thy feet in order.' He did so. Then the Lord God addressed the spirit of Moses, and said, 'Holy soul, my daughter! For a hundred and twenty years hast thou inhabited this undefiled body of dust. But now thine hour is come; come forth and mount to Paradise!' But the soul answered, trembling and with pain, 'In this pure and undefiled body have I spent so many years, that I have learned to love it, and I have not the courage to desert it.' 'My daughter, come forth! I will place thee in the highest heaven beneath the Cherubim and Seraphim who bear up my eternal throne.' Yet the soul doubted and quaked. Then God bent over the face of Moses, and kissed him. And the soul leaped up in joy, and went with the kiss of God to Paradise."

A Mohammedan account contains the fine legend that when Moses, reluctant, resisted the angel who had come for his spirit, God commanded the messenger of death to take from Paradise an apple of the tree of life, smelling the perfume of which the soul should leave the body, dying, as it were, into its true life.

Solomon of course figures largely in the legends, though not so largely as one would have expected, considering his popularity as a legendary figure among Mohammedans as well as with the Hebrew writers; and of Azrael and him Mr. Baring-Gould tells no story, we believe. We make no excuse for reminding or informing the reader of the tremendous rabbinical tale which Leigh Hunt has versified, and which certainly ought not to be omitted from any collection in which both the angel and the monarch appear. It is simple and brief, though we have applied to it the term tremendous. Solomon is walking in his garden with a friend, when suddenly they see approaching them, "his eyes like lamps of doom," the dreadful Angel of Death. The king's friend is smitten with affright, and begs the king to use his magic power and transport him at once to the furthest mountains of Cathay. Solomon turns the signet-ring on his finger, and the wish is accomplished before Azrael has

reached the king. Having come, the angel says, "O Solomon! what did that man here in the garden with thee? But this moment I was sent to bring him from the furthest mountains of Cathay."

Mr. Baring-Gould's style is better fitted for narrating the absurd and trivial legends with which he deals than for narrating the terrible and beautiful legends, which, if much less numerous than the others, are much more important. These he belittles and disfigures by a manner often colloquial and slovenly in tone, and sometimes vulgarized by downright colloquialisms of speech.

FERGUSSON'S RUDE STONE MONUMENTS.*

MR. FERGUSSON is a well-known and prolific writer on architecture generally, but more especially on Oriental architecture. He has also written on Eastern antiquities: Nineveh, Ellora, Halicarnassus, the Holy Sepulchre, the Temple at Jerusalem, etc., etc. His last work, previous to the present, entitled "Tree and Serpent Worship," in which he ventured beyond his favorite field of enquiry, did not add to his established and well-earned reputation; and it is doubtful how far the book under notice will impress itself on archæologists and antiquaries. It is ambitious and diffuse, but for all that a most remarkable collection of data on the subjects to which it relates, and (being profusely illustrated) it will prove indispensable to students of the monumental history of mankind. It treats mainly of what it is now the fashion to call "Megalithic monuments," those rude stone structures which, in the form of circles, *dolmens*, and single upright stones, are scattered so widely over Europe and parts of Africa and Asia, and whose origin and purposes have long been matters of dispute and irreconcilable speculation. Mr. Fergusson traces these remains through England, Scotland, Ireland, France, Scandinavia, the Iberian Peninsula, Italy, Northern Africa, Asia Minor, and all intervening territory into the heart of India, assigning to nearly all of them the characters of either tombs, sepulchral monuments, or mementoes of battle. Stonehenge—the inclination of the stones of which ingenious writers have declared to indicate the direction of the current of the deluge—and Avebury—in which other ingenious writers have found the profoundest symbolism of antiquity—both these Mr. Fergusson believes to be (and supports his view at length) the monuments of battles fought in their vicinity, corresponding with the great mound on the field of Waterloo, and raised after the Romans left the British Isles. As for the Druids, he scouts them and their works, and is satisfied that they never existed in regions where what are called Druidical remains most abound.

Not to do Mr. Fergusson injustice, we quote the propositions he has sought to establish in his own words:

"First. That the Rude Stone Monuments with which we are concerned are generally sepulchral, or connected directly or indirectly with the rites of the dead.

"Second. That they are not temples in any usual or appropriate sense of the term; and

"Third. That they were generally erected by partially civilized races after they had come in contact with the Romans, and most of them may be considered as belonging to the first ten centuries of the Christian Era."

It is utterly impossible for us to follow our author through the 558 pages royal octavo in which these positions are supported. But while we agree with him that *dolmens*, great stones supported on smaller ones, and which it was once the habit to call "Druid's altars," are sepulchral in character, we do not doubt that those great enclosures, circles, etc., bounded by erect stones or walls of earth, were often used as cemeteries, precisely as our churches have been, the solemnity of the grave adding to the sanctity of religion. Mr. Fergusson objects, and we think for ample reasons, to the chopping up of prehistoric antiquity into three ages, the "stone, bronze, and iron." Chronometrically, they mean nothing, for one race or people, or part of a people, may have got rid of its stone axe and taken to copper, bronze, or iron, thousands of years before another. And what are we to say of peoples such as we find in some parts of the Andes of Peru, who use to-day alike stone, bronze, and iron implements? The designations are poor attempts to simulate scientific accuracy by the use of vague words and phrases.

America receives but little attention in Mr. Fergusson's book. It is accorded only ten pages, in which, however, he pays a high compliment to some of our archæologists. Of the first volume of the "Smithsonian Contributions to Knowledge," entitled "Ancient Monuments of the Mississippi Valley," by Messrs. Squier and Davis, he says: "In this work, the Americans possess a detailed description of their antiquities of this class such as no nation in Europe can boast of. Their survey was carefully and scientifically carried out. The text is tersely and clearly written; mere theories or speculations are avoided, and the plates are clearly and carefully engraved. If we had such a work on our own antiquities, we should long ago have known all about

* "Rude Stone Monuments in all Countries: their Age and Uses." By James Fergusson, D.C.L. London: John Murray. New York: Scribner, Welford & Armstrong.

them." Our author objects to the classification of the great square and circular earthworks of the West as made by Messrs. Squier and Davis. He does not think them sepulchral, and cannot conceive how vast spaces of from 50 to 100 acres, designated by these gentlemen as "sacred enclosures," could be utilized for any religious purpose. He suggests that where squares occur in connection with circles, and connected with them, the former might be the places of assembly of the tribe, the exercise grounds or gymnasias, and the latter the places of residence of the chief, his wigwam being in the centre, surrounded by the huts of his subordinates and retainers. We believe him to be nearly right, except that the temple, or whatever religious structure or structures the builders of these works intended, occupied the circles, while the squares were reserved for some of the purposes he suggests. Mr. Squier has produced some very conclusive evidences of this in his memoir on the "Aboriginal Monuments of New York." Mr. Fergusson, by the way, was once disposed to doubt the existence of the great mound, in the unmistakable form of a serpent, in Adams County, Ohio, and even now, after its resurvey during the last summer by Mr. Blackmore, the founder of the Salisbury Museum, only considers that its existence is not "improbable."

Circles and squares defined by rough upright stones do not, as far as we know, exist in the United States; but they do exist in Peru, and there are long lines of upright stones in Central America. Some of those of Peru, on the shores of Lake Titicaca, are absolutely indistinguishable from many of those figured by our author. These circles are called *Inthuatani*—which signifies "where the sun is tied up," indicating a relationship with solar worship—and are not sepulchral, for the modes of burial among the present and earlier occupants of that region are well known. When the dead were not buried in caverns, they were deposited in structures of the *dolmen* type, sometimes rude and often elaborate. As regards the ruins of Tiahuanuco in Bolivia, Mr. Fergusson has been misled by imperfect photographs or erroneous descriptions. Most of the stones connected with that enigmatical series of remains are elaborately cut, but the principal enclosure, a rectangle of 388 by 445 feet, is defined by rude stones, irregular in size, placed about 15 feet apart. Some of these seem to have been partly shaped by art, but to an extent hardly appreciable, while most appear to be in their natural rough state. Interior to this enclosure are lines of perfectly rough stones defining rectangular spaces. This enclosure is regarded by Mr. Squier as the oldest of the Tiahuanuco remains—the ancient structure around which, at a period long subsequent to its erection, the more elaborate buildings, mounds, monoliths, etc., were raised.

Our author is of opinion that the mounds and monuments of America "do not seem to have any direct connection with those of the Old World." This expression is striking and important from a man so thoroughly acquainted with the Buddhist and other monuments of India, in which so many speculative minds and active imaginations profess to find, not merely resemblances, but absolute identities, with the monuments of Central America.

A History of Massachusetts in the Civil War. By William Schouler, late Adjutant-General of the Commonwealth. 2 vols. 8vo, pp. 670, 711. (Boston: Vol. I., 1868. Vol. II., 1871.)—The State-house view and the town-meeting view of Massachusetts in the war have each a volume given to them by Mr. Schouler, who also contemplates a third volume containing what we may call the view from the front—a history of each Massachusetts regiment in the field. If this design be carried out, as we hope it will be, it will leave all other State war records behind, full and meritorious as some of them have been. We are disposed to regard it as particularly creditable in our author that he refrained from bringing out his field history first, while the public was still easily moved by narratives of this sort, and had a painfully distinct recollection of the sequence and varying fortunes of the struggle. The logical order promised at no time so many or so interested readers, and that it prevailed with Mr. Schouler is evidence of a singleness of purpose which deserves a passing word of acknowledgment. The official memoirs, doubtless, which lie before us, could not well—or at least so well—have been written by any other person even using the same materials. Nevertheless, the magnitude of the task might have served as a valid excuse for declining the office of historian had Mr. Schouler, no longer a young man, been so disposed. That he did not decline it, but accepted it, and has given five years of hard labor to it with these handsome results, should be recognized by the State as an honorable continuation of the services which he rendered as adjutant-general during the rebellion.

As Vol. I. treats of the successive steps taken by the commonwealth of Massachusetts to furnish its contingent to the Federal army and to sustain the National Government by its credit, advice, and patriotic example, it has most interest for the general reader. Inevitably it is, for the period which it covers, to a large extent a biography of Governor Andrew told by a devoted

admirer indeed, but mostly in the Governor's own words, as recorded in the wonderfully voluminous letter-books preserved in the State archives. He is the central figure, foreseeing, inciting, and directing all, whose very first official utterance gave the key-note of Northern resistance to Southern secession and aggression. Banks had closed his term of office by advising, in face of a rapidly dissolving Union, the repeal of the Massachusetts Personal Liberty Law. Andrew succeeded him with an argument in defence of the statute, and put Massachusetts in her proper place over against South Carolina. The story of these first days before and just after Sumter is well related by Mr. Schouler, as for example the circumstantial account of the efforts to prevent Lincoln from being inaugurated, and the part which a Massachusetts man played in thwarting them. Butler's volunteering to put down an imaginary slave insurrection in Maryland, and his subsequent difference with Governor Andrew in regard to recruiting, are clearly set forth from a point of view not exactly that of Mr. Parton. Mr. Phillips' contradictory predictions, a week apart, are given side by side without comment, needing none. The doings of the party conventions from year to year are carefully, though summarily, reported; and Judge Parker, of Cambridge, denouncing to the Democracy the Altoona meeting of loyal Governors, at which Governor Andrew was prominent, is sent down to posterity as making the curious declaration (Oct., 1862) that if these treasonable plotters were seeking the removal of General McClellan, "they met too late to dare to do this, as he was the commander of a victorious army, and it was dangerous."

A highly instructive feature of this volume is the intercourse between the Massachusetts Executive and the War Department, more specifically between Gov. Andrew and Secretaries Cameron and Stanton. The start which the State, thanks to its prudent Executive, was able to take in responding to the call for troops, required it from the beginning to make constant appeals to the War Department for rulings on questions of recruiting, equipment, pay, bounty, quota, allowance, coast defence, colored troops, naval credits, etc., etc., all of which Gov. Andrew urged with his accustomed fervor and pertinacity. Often than not his wishes were consulted, and views adopted; not unfrequently they were disappointed, for reasons good and bad. Occasionally the cordial relations between Stanton and Andrew were endangered by the former's arbitrary and rude decisions, or refusal to consider cases. Mr. Schouler's readers, however, will hardly fail to find excuses for Mr. Stanton when they see Gov. Andrew, like the rest, bringing him to his scheme for the conduct of the war—a descent on the coast of Texas.

The war legislation of Massachusetts will be found especially worthy of study, having been proved in the main to have been wisely considered, as it was purely administered. Much of it, perhaps the best, says Mr. Schouler, was the result of suggestions coming in more or less official shape from town-meetings. To these the second volume is wholly devoted. "We have read," he says in the preface, "with care, and for a purpose, every vote and every resolve acted upon or passed at every town-meeting held during the war in Massachusetts." The result of this industry, given town by town in alphabetical order, hardly any one would undertake to read through, and yet it embodies probably the most valuable lessons this history has to give; and they must consult it who would know how the most intelligent and homogeneous community in the United States met the gravest emergency ever visited upon a free society, and in what lies the strength of an enlightened republic under this and all similar tests. While waiting for Mr. Schouler's third volume, the picture will be made tolerably complete by reading over again the "Harvard Memorial Biographies."

Kate Beaumont. By J. W. De Forest. (Boston: James R. Osgood & Co. 1872.)—It cannot be denied that Mr. De Forest has many of the necessary qualifications of a good novelist. His plots are always interesting, and the reader is carried on to the end of the book in a pleasing uncertainty between a profound conviction of a happy issue and alarm at the dangers that encompass the tortured hero and heroine. His characters are sharply and humorously drawn, and if they often lack those higher qualities that make people interesting in stories as well as in life, they have certainly the merit of distinctness. They make an impression as of people whom we have seen. They stand out well. The scenes, too, that he represents are put before us with considerable dramatic vigor. His style is never dull, and the little side-remarks—the sort of indication of the writer's reflection—are often quite amusing. But there are certain faults, of a kind in which Mr. De Forest is not a solitary offender. For instance, on page 11, we find: "Same with some women; can't believe they have passed the age of fascinating; make eyes at young dandies who don't understand it at all; would beggar themselves for a husband of twenty-two." If this is worth saying at all, is it not worth saying better? Not only does one detect here a careless style, but also the

presence of a trait that is more marked in the description of Judge McAlister, on page 34, and which, to some extent, savors of coarseness, not to put too fine a point on it. For who cares for the measurement of the Judge's hips or for the touching of his knees? Nor is the account of his resemblance, in stooping, to an elephant a pleasing picture.

If this novel is absolutely reeking with bad whiskey and noisy with pistol-shots, that is because Mr. De Forest has given us the "Southrons" as so many of them were, and not as the English travellers used to represent them—a set of mild-eyed patriarchs, presiding with firm but gentle sway over hereditary acres and devoted bondsmen. We see their sensitiveness arising from their almost total lack of humor, which is so marked a Southern want, their lofty belief in themselves, and their fanatical devotion to their dueling code, all of which are the natural products in sinful man of ignorance, idleness, and slight responsibility. Even those who have had the opportunity to profit by a European education return as bigoted as those who have always lived upon the plantation. McAlister, the hero, is an exception; but he, too, though against his will, has to obey their fantastic code of honor. In all of this part of the story Mr. De Forest shows fully his merits as well as his faults. The various peculiarities of the Southerner are drawn amusingly and with only that amount of caricature which pales into insignificance before certain well-known facts in the history of that part of the country before the war; and the author deserves credit for bringing into literature that period of our history which ran so great a risk of being forgotten, for most tales about the slave States were simply veiled arguments in favor of Abolitionism, or the unearthly visions of the genuine Southern novelist. But, while we gladly acknowledge the truth and vigor of Mr. De Forest's account of Souther life, something more is required before a story can receive the highest praise. Mere accuracy of description will never make a good novel. That is but the framework in which the story is set. We take up this book to read of the loves of Kate Beaumont and young McAlister. The family feud is a perfectly legitimate means of tormenting these two young people; but the real interest of the story should lie in the agonies of their distracted hearts, and not in the curious antics of their eccentric relations. The sentimental reader demands that the account of the Southerner's whiskey-bibbing should be subordinated to the story of these loves; that the study of the human heart, the same from Maine to Texas, should not be sacrificed to the "local color." This requirement is not met in "Kate Beaumont." We are told that the hero and the heroine suffered, hoped, were disappointed, again were nearly certain of bliss—but all this is merely stated; what is actually put before us is the conduct of the other people of the story. It is not unlike a play in which the scenery is admirably painted, and all the subordinate characters are excellently represented; they know their parts perfectly, they fight with a bloodthirstiness that cannot be too highly commended; the blue and red fires blaze at the proper moment, but the hero and heroine do not come upon the stage.

While Mr. De Forest lacks this all-important qualification, the comprehension of what really makes a story, he deserves all praise for his various merits, which are of a sort by no means common. He has written a novel that is very readable, and he has given proof of being able to do more and better work. His painstaking, his careful observation and sprightliness, are qualities which will certainly achieve a more than partial success.

Fine Arts.

THE METROPOLITAN MUSEUM.

II.

It seems curious to go to Velasquez for a painting of a butterfly, but his fruit-piece, No. 171, contains one, and a gossamer-like little flirt it is too. For those who think that still-life cannot be painted in the grand style, these fruits are a sufficient refutation. Everything is done with originality and largeness, as if to prove that the mallet-hand was voluntarily carving cherry-stones, and it is amusing to see that this poor pyramid of sweets has a mountain background. In the front lies an apple, which was a flat disc until, with a little instantaneous coruscation of golden dabs, the painter adjusted his high-light and sphered the fruit. The grapes behind it express unmistakably the hardness and coldness of not yet ripened bunches. The picture is an interesting specimen of the class of studies on which Velasquez spent his early ingenuity and research, commanding every sort of art-expression by original methods of his own, until at last, with this same economy of means, he arrived at all that was great in human portraiture. There is in the Museum another picture of the Spanish school, by the eccentric painter Goya, which deserves attention for its own as well as its author's sake. It is a little study of considerable finish, representing a Jewess of Tangier in the

rigid embarrassment of her fine clothes. With her right hand she holds a rich veil to her breast, while her left bears a fan that unfurls into a circle. Circular discs and amulets depend from her body until she resembles a parchment deed or charter with its seals. The painting is sombrely luscious, and gives one a decided respect for Goya, the unmanageable pet of Charles IV.—man who, after Cellini and Salvator, is the most remarkable personality among artists. The favorite of the king and the comrade of bull-fighters, Goya was a rule unto himself, amenable to no standard of social criticism. His etchings, the "Caprichos," satirize the follies of the court with a terrific bitterness. Another set, the "Tauromachia," in thirty-three plates, delineate the history of the bull-fight, an institution he dearly loved, from the Moors to the commencement of the nineteenth century (Goya died in 1828). In painting he was a savage Ishmaelite. He painted with sponges, with brooms, with rags. One of his scenes, a "Dos de Maio," a combat of French and Spaniards, was done with a spoon, and it is a picture of tremendous vigor. Always a hasty and incorrect designer, the vitality of his conception carries off the rudeness of the science, while the verity of his color and his instinct of composition give quality to everything he has left. His perpetual intrigues and life of license did not prevent him from being one of the most prolific of painters. He was equally happy in portraits, sacred subjects, caricatures, and genre. He painted the king and queen in large equestrian pictures; he copied after Velasquez; he sometimes covered thirty feet of wall in a day or two; he was an industrious engraver and etcher; and at last, in order to die in character, when old and almost blind he took to making lithographic drawings, in which his favorite bull-fights were poured forth with a profusion and spirit not at all impaired by the fact that they were done in the dark. It is well to possess even so slight a bit of hand-work on which to hang a souvenir of this strange creature.

Of Italian painting there is, in the figure line, an insufficient yet fascinating representation. The finest thing is the portrait by Paris Bordone of a Milanese count, a Sforza. Here is a palette that has been near enough to Titian to float off some of the potable gold of his atmosphere. Separated as we are in this country from the art of Venice, the coloration of Bordone's picture, among the Dutch exactitudes which hang around it, seems to have the sacredness of a sermon against impurity, muddiness, asphaltum, and mummy. Beautiful as an angel, and apparently painted at sunset, the boy-warrior lifts in the clearest light his oval face, surrounded with blowing silken hair that parts in the middle, and set upon a strong young body in complete armor, like a St. George. The heavenly freshness of the complexion and the large, felicitous manner make one recur to this picture as a constant delight, although it by no means leaves upon the mind that conviction of earnest fidelity in the portraiture which is impressed by some of the Flanders work. By Albani there are four decorations, of a broad, low shape, representing little naked genii engaged in various children's games, their color being as riant as their occupation, but the painting too careless to challenge any criticism. By Sassoferato there is a Virgin, a small bust picture. It represents, of course, a late eclectic school, and is quite powerless over the sympathies of a modern spectator; yet it is a bit of perfect achievement, in perfect order; and the draperies, which introduce every kind of torsion that there is room for in the frame, are as careful in drawing and texture as is the elegantly-afflicted face. Three little easel-pictures by Tiepolo represent art still further conducted on the path of beautiful dilettantism. These softly-glowing and obdurately graceful compositions, arranged according to a rule and blushing on principle, with gauzy angels, graceful pages, curtains, and antique statues, are much the same, whether the "Crowning with Thorns" or the "Triumph of Ferdinand III." be the subject, and are the most charming of interpreters of religion and politics for the boudoirs of duchesses.

The French pictures include a Greuze and a Poussin, the latter an important one, but detained for the time being in Paris until M. Jacquemart shall have copied it in aquafortis. The specimen of Greuze, whose works have lately been attaining such wild valuation among his countrymen, is truly very fine. It is a life-size study, from the model whose face he so often repeats, of the head for the pleading girl in the "Paternal Malediction," one of his capital works at the Louvre. These full-size *Académies* are the specimens to seek for in getting up a high idea of the talent of Greuze, as they are filled with life and vigor, whereas in reducing them for his elaborate groups the artist always fell into the white-wax manner and finish which distress the critic. It is, perhaps, useless for us to try to attain the pious ecstasy with which the French gather to the feet of Greuze, as the one poet of chaste family joys and sorrows in humble life. For us, his uncropped village maids seem to show a good deal of neck, the white-haired fathers are self-conscious, and everybody has a cloying balance of feature more or less referable to the Apollo Belvedere. This profile of a young, distressed girl, however, is a fine bit, laid upon the canvas with decision and delicacy, and, in expression, suggestive of a mitigable grief which it would be a very pleasant task to soothe.

away. Of seventeenth-century French—a class yielding but few treasures—there is a group of beggars by one of the brothers Le Nain; a squalid family in the costume, so far as they wear any, of 1700, waylaying the rich passenger with the sullen pertinacity in which we can perceive the muttering of the Revolution.

English art is hardly recognized in the collection, but there is a fair though not remarkable Reynolds, a portrait of Sir Edward Hughes, wearing a red face and a white wig; it is painted with great sincerity and lifelikeness. Of Sir Peter Lely, in his English manner, there is the head of a court brunelette, painted, like most of the later Lelys, with a supreme heartlessness and coldness of debauched talent that leaves the work almost incoherent, except in so far as it is stiffened with a kind of varnish of Vandeyck. Far better, if court beauty must be painted in its full caparison, is the happily shallow and idealess Duchesse of Mazarin, by Nicholas Maas, which happens to hang beside the Lely. This style of painting, imitated from the effects of pastel, has a fragile elegance very dainty and modish, quite applicable to the subject in hand. The little lady, who is nearly featureless, her nose being a pustule and her eyes somewhat like soap-bubbles, displays a general glitter of bust and arms, due to the painter's tone, which is rather pearl-powdery than pearly. Like an honest courtier, he cannot draw a line, and his sitter's wrist is badly wrench'd, and her torso impossible; but he is at home with her cosmetics and with her hair, the latter, in its flossy abundance, giving him something to work on that he could really appreciate and develop with sympathy. This doll Duchess at least enjoys dress and chandeliers, while the white-bosomed Lely, as is usual with his "beauties," is a sphynx too dull to understand her own enigma.

In the anteroom where the portraits last spoken of abide is Vela's statue, a work of quite another sentiment, but which, if noticed at all, should be mentioned among the figure subjects. As one of the most striking works of plastic art yet brought to the country, it merits a better and more disengaged review than we can now give, but we will attach a few remarks to it. The marble is not the property of the Museum, being a loan from its owner, Mr. John Taylor Johnston, and it is not placed in a light which at all brings out its drawing. The side view, which happens to relieve the profile against

a dark canvas, is the only view which can now be advantageously taken. The subject is "The Last Days of Napoleon." The captive is represented propped on pillows in a large chair, his head sunk upon his bare chest, from which the dressing-gown has been thrown back, his clenched fist bearing with vast expression upon a map of Europe which is on his lap. This is a replica of that "Napoléon Mourant" which was so covered with votive violets and poems when displayed in the last Paris Exposition. It is said to be a carving rather more satisfactory to the artist, or more true to his clay ideal, than the Paris impression. Either one is probably inferior to the statue of "Spring" which Vela sent at the same time to the Champ de Mars; but the romance of the subject, of course, threw any quieter work into eclipse. The "Napoleon" is a most striking image of will still conquering in spite of circumstance. The head has the immense brain development, the sculptural features, of the first Bonaparte, appropriately modified by age and illness. The film over the profound eye, the thinking swell of the nostril, the fixity of the pressed lips and of the muscle upon the chin, are immensely impressive, and form altogether a type of imperious resolve. The statue is of far too elevated an order to admit of any discoverable faults of *métier*, and the only question is whether it has not too many perfections. The Greeks, as their relics tell us, had an art, by massing details and omitting petty traits, of making a heroic marble seem far away, completely rapt into ideal air. By this they could counteract the tendency, always too strong in a spectator, to examine pieces of sculpture with the end of the nose. But Vela, in his Napoleon, insists on the closest scrutiny, and we think it incontestable that he thereby loses the highest impression for his work. The hands, finished to the pores of the skin, and creating an effect of painting rather than of sculpture, become curiosities; the blanket covering the lap is stippled over with a tool made express, so as to imitate illusively the web of the material; the chair-frame is chiselled in all its trimmings of ormolu; and the stamped leather of its back, and the embroidery of the robe, are so beautifully invented and displayed that they seduce the most sincere attention. The conception of the "Napoléon Mourant" is a grand one, grandly printed, but it is a question whether it be not dissipated among the wealth of accessories.

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